



भारत का राजपत्र The Gazette of India

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नई दिल्ली, शनिवार, मई 20, 1995/वैशाख 30, 1917

No. 20]

NEW DELHI, SATURDAY, MAY 20, 1995/VAISAKHA 30, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(other than the Ministry of Defence)

विधि, न्याय और कंपनी कार्य मंत्रालय

(कंपनी कार्य विभाग)

नई दिल्ली, 28 अप्रैल, 1993

टिप्पण — मूल अधिसूचना सा. का. नि. सं. 978, तारीख 28 मई
1963 द्वारा प्रविष्टि की गई थी और तत्पश्चात् उसका
निम्नलिखित द्वारा संशोधन किया गया:—

टिप्पण—मूल अधिसूचना सा. का. नि. सं. 978, दिनांक 28 मई, 1963 को
अधिसूचना की गई थी और तत्पश्चात् संशोधित की
गई:—

का. प्र. 1315—केंद्रीय सरकार, कंपनी अधिनियम, 1956
(1956 का 1) की धारा 620क की उपधारा (1) और उपधारा (2)
द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, श्री समुन्दरेश्वरी बेनिफिट फंड
लिमिटेड को, जिसका रजिस्ट्रीकृत कार्यालय तमिलनाडु राज्य में त. 4,
इस्लायमन सन्नाती विजयपुरम, तिरुवरूर-600001 में है, एक निधि
कोषित करती है और यह निदेश देती है कि भारत सरकार के तत्कालीन
वाणिज्य और उद्योग मंत्रालय (कंपनी विधि प्रशासन विभाग) की अधि-
सूचना स. सा. का. नि. सं. 978, तारीख 28 मई, 1963 में उपाखंड
अनुसूची 3 के स्तम्भ (1) में विनिर्दिष्ट उक्त अधिनियम के उपखंड
उक्त निधि को, यथास्थिति, लागू नहीं होंगे या उसके स्तम्भ (2) में की
तत्स्थानी प्रविष्टि में विनिर्दिष्ट अपवादों, उपान्तरणों और अनुकूलनों सहित
लागू होंगे और उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची 1 में मद 150 और उसमें संशोधित
प्रविष्टियों के पश्चात् निम्नलिखित मद और प्रविष्टियाँ जोड़ी जाएंगी:
अर्थात्:—

151 "श्री समुन्दरेश्वरी बेनिफिट फंड लिमिटेड तमिलनाडु"

[का. सं. 37/15/95 सी. एल. 3]

धर्मपाल जग रसिंह

1. सा. का. नि. सं. 1681 दिनांक 11-10-63
2. सा. का. नि. सं. 853 दिनांक 4-6-64
3. सा. का. नि. सं. 297 दिनांक 12-2-65
4. सा. का. नि. सं. 1332 दिनांक 30-8-65
5. सा. का. नि. सं. 111 दिनांक 14-1-66
6. सा. का. नि. सं. 1543 दिनांक 1-10-66
7. सा. का. नि. सं. 607 दिनांक 20-4-67
8. सा. का. नि. सं. 608 दिनांक 20-4-67
9. सा. का. नि. सं. 1461 दिनांक 6-5-69
10. सा. का. नि. सं. 2707 दिनांक 18-11-69
11. सा. का. नि. सं. 1306 दिनांक 27-7-71
12. सा. का. नि. सं. 1 दिनांक 21-12-73
13. सा. का. नि. सं. 690 दिनांक 22-6-74
14. सा. का. नि. सं. 275 दिनांक 14-2-75
15. सा. का. नि. सं. 409 दिनांक 20-4-75
16. सा. का. नि. सं. 1300 दिनांक 1-8-76
17. सा. का. नि. सं. 426 दिनांक 8-1-78

18. सा. का. नि. सं. 728 दिनांक 28-4-78
19. सा. का. नि. सं. 1296 दिनांक 4-10-79
20. सा. का. नि. सं. 1100 दिनांक 9-10-80
21. सा. का. नि. सं. 1099 दिनांक 9-10-80
22. सा. का. नि. सं. 164 दिनांक 10-2-83
23. सा. का. नि. सं. 843 दिनांक 19-11-83
24. सा. का. नि. सं. 844 दिनांक 19-11-83
25. सा. का. नि. सं. 217 दिनांक 25-2-84
26. सा. का. नि. सं. 231 दिनांक 20-2-85
27. सा. का. नि. सं. 21 दिनांक 24-12-85
28. सा. का. नि. सं. 275 दिनांक 3-3-86
29. सा. का. नि. सं. 306 दिनांक 11-4-80
30. सा. का. नि. सं. 70 दिनांक 22-6-80
31. सा. का. नि. सं. 961 दिनांक 24-10-86
32. सा. का. नि. सं. 353 दिनांक 22-4-87
33. सा. का. नि. सं. 365 दिनांक 22-4-87
34. सा. का. नि. सं. 430 दिनांक 20-5-87
35. सा. का. नि. सं. 598 दिनांक 31-7-87
36. सा. का. नि. सं. 597 दिनांक 31-7-87
37. सा. का. नि. सं. 921 दिनांक 30-11-87
38. सा. का. नि. सं. 922 दिनांक 3-12-87
39. सा. का. नि. सं. 264 दिनांक 5-4-88
40. सा. का. नि. सं. 479 दिनांक 18-6-88
41. सा. का. नि. सं. 515 दिनांक 25-6-88
42. सा. का. नि. सं. 597 दिनांक 15-7-88
43. सा. का. नि. सं. 596 दिनांक 15-7-88
44. सा. का. नि. सं. 598 दिनांक 15-7-88
45. सा. का. नि. सं. 800 दिनांक 22-9-88
46. सा. का. नि. सं. 961 दिनांक 17-12-88
47. सा. का. नि. सं. 32 दिनांक 6-12-88
48. सा. का. नि. सं. 959 दिनांक 17-12-88
49. सा. का. नि. सं. 960 दिनांक 17-12-88
50. सा. का. नि. सं. 318 दिनांक 6-5-89
51. सा. का. नि. सं. 501 दिनांक 22-7-89
52. सा. का. नि. सं. 502 दिनांक 22-7-89
53. सा. का. नि. सं. 649 दिनांक 22-8-89
54. सा. का. नि. सं. 650 दिनांक 22-8-89
55. सा. का. नि. सं. 651 दिनांक 22-8-89
56. सा. का. नि. सं. 844 दिनांक 25-10-89
57. सा. का. नि. सं. 102 दिनांक 5-2-90
58. सा. का. नि. सं. 241 दिनांक 29-3-90
59. सा. का. नि. सं. 302 दिनांक 16-4-90
60. सा. का. नि. सं. 303 दिनांक 10-5-90
61. सा. का. नि. सं. 514 दिनांक 30-7-90
62. सा. का. नि. सं. 515 दिनांक 7-8-90
63. सा. का. नि. सं. 3052 दिनांक 7-10-90
64. सा. का. नि. सं. 782 दिनांक 13-12-90
65. सा. का. नि. सं. 783 दिनांक 13-12-90
66. सा. का. नि. सं. 784 दिनांक 13-12-90
67. सा. का. नि. सं. 314 दिनांक 30-4-91
68. सा. का. नि. सं. 2146 दिनांक 26-7-91
69. सा. का. नि. सं. 123 दिनांक 30-12-92
70. सा. का. नि. सं. 124 से 131 दिनांक 30-12-92
71. सा. का. नि. सं. 132 से 134 दिनांक 30-12-92
72. सा. का. नि. सं. 135 से 137 दिनांक 30-12-92
73. सा. का. नि. सं. 138 से 141 दिनांक 30-12-92
74. (142) सा. का. नि. संख्या 292 दिनांक 27-5-93

75. (143) सा. का. नि. संख्या - - - - - दिनांक - - - - -
76. (144) सा. का. नि. संख्या - - - - - दिनांक - - - - -
77. (145) सा. का. नि. संख्या - - - - - दिनांक - - - - -
78. (146) सा. का. नि. संख्या - - - - - दिनांक - - - - -
79. (147) सा. का. नि. संख्या - - - - - दिनांक - - - - -
80. (148) सा. का. नि. संख्या - - - - - दिनांक - - - - -
81. (149) सा. का. नि. संख्या - - - - - दिनांक - - - - -
82. (150) सा. का. नि. संख्या - - - - - दिनांक - - - - -

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Department of Company Affairs)

New Delhi, the 28th April, 1995

S.O. 1313.—In exercise of the powers conferred by sub-section (1) and (2) of section 620-A of the Companies Act, 1956 (1 of 1956), the Central Government hereby declares M/s. Shri Samundeswari Benefit Fund Limited having its Registered Office at No. 4, Ellaiammar Sannathi Vijayapuram, Thiruvannamalai-660001, in the state of Tamil Nadu to be a Nidhi and directs that the provisions of the said Act, specified in column (1) of Schedule III annexed to the notification of the Government of India in the Ministry of Commerce and Industry (Department of Company Law Administration) No. G.S.R. 978, dated the 28th May, 1963 shall not apply, or as the case may be, shall apply with the exceptions, modifications and adaptations specified in the corresponding entry in column (2) thereof, to the said Nidhi and makes the following amendment in the said notification, namely :—

In Schedule I to the said Notification, after item No. 150 and the entries relating thereto, the following item and entries shall be added, namely :—

"151. SHRI SAMUNDESWARI BENEFIT FUND LI- MITED"

[F. No. 37/13/95-CL-III]

DHARAM PAL, Under Secy.

Footnote :—The Principal Notification was notified vide G.S.R. No. 978 dated 28th May, 1963 and Subsequently amended vide:—

S.No.	GSR No.	Dated
1.	1691	11-10-63
2.	853	04-06-64
3.	297	12-02-65
4.	1332	30-08-65
5.	111	14-01-66
6.	1543	01-10-66
7.	607	29-04-67
8.	608	29-04-67
9.	1466	06-06-69
10.	2707	18-11-69
11.	1306	27-07-71
12.	1	21-12-73
13.	690	22-06-74
14.	275	14-02-75
15.	409	29-03-75
16.	1300	11-09-76
17.	426	08-03-78
18.	728	28-04-78
19.	1296	04-10-79
20.	1100	09-10-80

S.No.	GSR No.	Dated
21.	1099	09-10-80
22.	164	10-02-83
23.	843	19-11-83
24.	844	19-11-83
25.	217	25-02-84
26.	231	20-02-85
27.	21	24-02-85
28.	275	03-03-86
29.	306	11-04-86
30.	70	22-06-86
31.	961	24-10-86
32.	353	22-04-87
33.	365	22-04-87
34.	430	20-05-87
35.	598	31-07-87
36.	597	31-07-87
37.	921	30-11-87
38.	922	03-12-87
39.	264	05-04-88
40.	479	18-06-88
41.	515	25-06-88
42.	597	15-07-88
43.	596	15-07-88
44.	598	15-07-88
45.	800	22-09-88
46.	961	17-12-88
47.	32	06-12-88
48.	959	17-12-88
49.	960	17-12-88
50.	318	06-05-89
51.	501	22-07-89
52.	502	22-07-89
53.	649	22-08-89
54.	650	22-08-89
55.	651	22-08-89
56.	844	25-10-89
57.	102	05-02-90
58.	241	29-03-90
59.	302	16-04-90
60.	303	10-05-90
61.	514	30-07-90
62.	515	07-08-90
63.	3052	07-10-90
64.	782	13-12-90
65.	783	13-12-90
66.	784	13-12-90
67.	314	30-04-91
68.	2146	26-07-91
69.	123	30-12-92 (123)
70.	103	18-03-93 (124 to 131)
71.	272	12-05-93 (132 to 134)
72.	291	27-05-93 (135 to 137)
73.	—	— (138 to 141)
74.	292	27-05-93 (142)
75.	—	(143)
76.	—	(144)

S.No.	GSR No.	Dated
77.	—	— (145)
78.	—	— (146)
79.	—	— (147)
80.	—	— (148)
81.	—	— (149)
82.	—	— (150)

मई दिल्ली, 28 अप्रैल, 1995

का.मा. 1314.—केन्द्रीय सरकार, कंपनी अधिनियम, 1956 (1956 का 1) की धारा 620क को उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, आई सी एस बेनिफिट फंड लिमिटेड को, जिसका रजिस्ट्रीकृत कार्यालय तमिलनाडु राज्य में 21, वेंकटस्वामी रोड, (ईस्ट), आर.एस. पुरम, कोयम्बतूर-641002 में है, एक निधि घोषित करती है और यह निवेश देती है कि भारत सरकार के तत्कालीन वाणिज्य और उद्योग मंत्रालय (कंपनी विधि प्रशासन विभाग) की अधिसूचना सं. सा. का. नि. 978, तारीख 28 मई, 1963 से उपाख्य अनुसूची 3 के स्तंभ (1) में विनिर्दिष्ट उक्त अधिनियम के उपाबंध, उक्त निधि को, यथास्थिति, लागू नहीं होंगे या, उसके स्तंभ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अपवादों, उपान्तरणों और अनुकूलनों सहित लागू होंगे और उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची 1 में, मव 151 और उससे संबंधित प्रविष्टियों के पश्चात्, निम्नलिखित पद और प्रविष्टियां जोड़ी जाएंगी, अर्थात्:—

“152. आई.सी.एस. बेनिफिट फंड लिमिटेड तमिलनाडु।”

[फा. सं. 37/9/94-सी.एल. 3]

धर्मपाल, अवर सचिव

टिप्पण:—मूल अधिसूचना सा.का.नि. सं. 978, तारीख 28 मई, 1963 द्वारा अधिसूचित की गई थी और तत्पश्चात् उसका निम्नलिखित द्वारा संशोधन किया गया:—

1. सा. का. नि. सं. 1681 दिनांक 11-10-63
2. सा. का. नि. सं. 853 दिनांक 4-6-64
3. सा. का. नि. सं. 297 दिनांक 12-2-65
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33. सा. का. नि. सं. 363 दिनांक 22-4-87
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38. सा. का. नि. सं. 922 दिनांक 3-12-87
39. सा. का. नि. सं. 264 दिनांक 5-4-88
40. सा. का. नि. सं. 479 दिनांक 18-6-88
41. सा. का. नि. सं. 515 दिनांक 25-6-88
42. सा. का. नि. सं. 597 दिनांक 15-7-88
43. सा. का. नि. सं. 596 दिनांक 15-7-88
44. सा. का. नि. सं. 598 दिनांक 15-7-88
45. सा. का. नि. सं. 800 दिनांक 22-9-88
46. सा. का. नि. सं. 961 दिनांक 17-12-88
47. सा. का. नि. सं. 32 दिनांक 6-12-88
48. सा. का. नि. सं. 959 दिनांक 17-12-88
49. सा. का. नि. सं. 960 दिनांक 17-12-88
50. सा. का. नि. सं. 318 दिनांक 6-5-89
51. सा. का. नि. सं. 501 दिनांक 22-7-89
52. सा. का. नि. सं. 502 दिनांक 22-7-89
53. सा. का. नि. सं. 649 दिनांक 22-8-89
54. सा. का. नि. सं. 650 दिनांक 22-8-89
55. सा. का. नि. सं. 651 दिनांक 22-8-89
56. सा. का. नि. सं. 844 दिनांक 25-10-89
57. सा. का. नि. सं. 102 दिनांक 5-2-90
58. सा. का. नि. सं. 241 दिनांक 29-3-90
59. सा. का. नि. सं. 302 दिनांक 16-4-90
60. सा. का. नि. सं. 303 दिनांक 10-5-90
61. सा. का. नि. सं. 514 दिनांक 30-7-90

62. सा. का. नि. सं. 515 दिनांक 7-8-90
63. सा. का. नि. सं. 3052 दिनांक 7-10-90
64. सा. का. नि. सं. 782 दिनांक 13-12-90
65. सा. का. नि. सं. 783 दिनांक 13-12-90
66. सा. का. नि. सं. 784 दिनांक 13-12-90
67. सा. का. नि. सं. 314 दिनांक 30-4-91
68. सा. का. नि. सं. 2146 दिनांक 26-7-91
69. सा. का. नि. सं. 123 दिनांक 30-12-92
70. सा. का. नि. सं. 124 से 131 दिनांक 30-12-92
71. सा. का. नि. सं. 132 से 134 दिनांक 30-12-92
72. सा. का. नि. सं. 135 से 137 दिनांक 30-12-92
73. सा. का. नि. सं. 138 से 141 दिनांक 30-12-92
74. (142) सा. का. नि. संख्या 292 दिनांक 27-5-93
75. (143) सा. का. नि. संख्या—दिनांक—
76. (144) सा. का. नि. संख्या—दिनांक—
77. (145) सा. का. नि. संख्या—दिनांक—
78. (146) सा. का. नि. संख्या—दिनांक—
79. (147) " " " " "
80. (148) " " " " "
81. (149) " " " " "
82. (150) " " " " "
83. (151) " " " " "

New Delhi, the 28th April, 1995

S.O. 1314.—In exercise of the powers conferred by sub-sections (1) and (2) of section 620-A of the Companies Act, 1956 (1 of 1956), the Central Government hereby declares M/s. ICS Benefit Fund Limited having its Registered Office at 21 Venkataswamy Road (East) R. S. Puram, Coimbatore 641002, in the state of Tamil Nadu to be a Nidhi and directs that the provisions of the said Act, specified in column (1) of Schedule III annexed to the notification of the Government of India in the Ministry of Commerce and Industry (Department of Company Law Administration) No. G.S.R. 978 dated the 28th May, 1963 shall not apply, or as the case may be, shall apply with the exceptions, modification and adaptations specified in the corresponding entry in column (2) thereof, to the said Nidhi and makes the following amendment in the said notification namely :—

In Schedule I to the said Notification after item No. 151 and the entries relating thereto, the following item and entries shall be added, namely :—

"152. ICS BENEFIT FUND LIMITED".

[F. No. 37/94-CL. III]

DHARAM PAL, Under Secy.

Footnote :—The Principal Notification was Noticed vide G.S.R. No. 978 dated 28th May, 1963, and Subsequently amended vide :

S.No.	GSR No.	Dated
1.	1691	11-10-63
2.	853	04-06-64
3.	297	12-08-65
4.	1332	30-08-65
5.	111	14-01-66
6.	1543	01-10-66
7.	607	29-04-67

S.No.	GSR No.	Dated	S. No.	GSR No.	Date
8.	608	29-04-67	63.	3052	07-10-90
9.	1466	06-06-69	64.	782	13-12-90
10.	2707	18-11-69	65.	783	13-12-90
11.	1306	27-07-71	66.	784	13-12-90
12.	1	21-12-73	67.	314	30-04-91
13.	690	22-06-74	68.	2146	26-07-91
14.	275	14-02-75	69.	123	20-12-92 (123)
15.	409	29-03-75	70.	103	18-03-93 (124 to 131)
16.	1300	11-09-76	71.	272	12-05-93 (132 to 134)
17.	426	08-03-78	72.	291	27-05-93 (135 to 137)
18.	728	28-04-78	73.	—	— (138 to 141)
19.	1296	04-10-79	74.	292	27-05-93 (142)
20.	1100	09-10-80	75.	—	— (143)
21.	1099	09-10-80	76.	—	— (144)
22.	164	10-02-83	77.	—	— (145)
23.	843	19-11-83	78.	—	— (146)
24.	844	19-11-83	79.	—	— (147)
25.	217	25-02-84	80.	—	— (148)
26.	231	20-02-85	81.	—	— (149)
27.	21	24-02-85	82.	—	— (150)
28.	275	03-03-86	83.	G.S.R. No.	dated (151)
29.	306	11-04-86			
30.	70	22-06-86			
31.	961	24-10-86			
32.	353	22-04-87			
33.	365	22-04-87			
34.	430	20-05-87			
35.	598	31-07-87			
36.	597	31-07-87			
37.	921	30-11-87			
38.	922	03-12-87			
39.	264	05-04-88			
40.	479	18-06-88			
41.	515	25-06-88			
42.	597	15-07-88			
43.	596	15-07-88			
44.	598	15-07-88			
45.	800	22-09-88			
46.	961	17-12-88			
47.	32	06-12-88			
48.	959	17-12-88			
49.	960	17-12-88			
50.	318	06-05-89			
51.	501	22-07-89			
52.	502	22-07-89			
53.	649	22-08-89			
54.	650	22-08-89			
55.	651	22-08-89			
56.	844	25-10-89			
57.	102	05-02-90			
58.	241	29-03-90			
59.	302	16-04-90			
60.	303	10-05-90			
61.	514	30-07-90			
62.	515	07-08-90			

नई दिल्ली, 28 अप्रैल, 1995

का.आ. 1315.—केन्द्रीय सरकार, कंपनी अधिनियम, 1956 (1956 का 1) की धारा 620क की उपधारा (1) और उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सुलिवान गार्डन बेनिफिट फंड लिमिटेड को, जिसका रजिस्ट्रीकृत कार्यालय तमिलनाडु राज्य में नं. 8, करपागम्बल नगर, नागेश्वर राव पार्क के समीप, माइलापोर मद्रास-600004 में है, एक निधि घोषित करती है और यह निवेश देती है कि भारत सरकार के तत्कालीन वाणिज्य और उद्योग मंत्रालय (कंपनी विधि प्रशासन विभाग) की अधिसूचना सं. सा. का. नि. 978, तारीख 28 मई, 1963 से उपाबद्ध अनुसूची 3 के स्तंभ (1) में विनिर्दिष्ट उक्त अधिनियम के उपबंध, उक्त निधि को, यथास्थिति, लागू नहीं होंगे या, उसके स्तंभ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अपवादों, उपान्तरणों और अनुकूलनों सहित लागू होंगे और उक्त अधिसूचना में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना की अनुसूची 1 में, मद 153 और उससे संबंधित प्रविष्टियों के पश्चात् निम्नलिखित मद और प्रविष्टियां जोड़ी जाएंगी, अर्थात्:—

“154. सुलिवान गार्डन बेनिफिट फंड लिमिटेड”।

[फा. सं. 37/51/94 सी.एल. 3]

अर्थपाल, अवर सचिव

टिप्पण : मूल अधिसूचना सा. का. नि. सं. 978, तारीख 28 मई, 1963 द्वारा अधिसूचित की गई थी और तत्पश्चात् उसका निम्नलिखित द्वारा संशोधन किया गया :—

टिप्पणी—मूल अधिसूचना सा. का. नि. संख्या 978, दिनांक 28 मई, 1963 को अधिसूचित की गई थी और तदनुसार यथासंशोधित की गई :—

- | | |
|--|---|
| 1. सा. का. नि. सं. 1681 दिनांक 11-10-63 | 41. सा. का. नि. सं. 515 दिनांक 25-6-88 |
| 2. सा. का. नि. सं. 853 दिनांक 4-6-64 | 42. सा. का. नि. सं. 597 दिनांक 15-7-88 |
| 3. सा. का. नि. सं. 297 दिनांक 12-2-65 | 43. सा. का. नि. सं. 596 दिनांक 15-7-88 |
| 4. सा. का. नि. सं. 1332 दिनांक 30-8-65 | 44. सा. का. नि. सं. 598 दिनांक 15-7-88 |
| 5. सा. का. नि. सं. 111 दिनांक 14-1-66 | 45. सा. का. नि. सं. 800 दिनांक 22-9-88 |
| 6. सा. का. नि. सं. 1543 दिनांक 1-10-66 | 46. सा. का. नि. सं. 961 दिनांक 17-12-88 |
| 7. सा. का. नि. सं. 607 दिनांक 29-4-67 | 47. सा. का. नि. सं. 32 दिनांक 6-12-88 |
| 8. सा. का. नि. सं. 608 दिनांक 29-4-67 | 48. सा. का. नि. सं. 959 दिनांक 17-12-88 |
| 9. सा. का. नि. सं. 1461 दिनांक 6-5-69 | 49. सा. का. नि. सं. 960 दिनांक 12-12-88 |
| 10. सा. का. नि. सं. 2707 दिनांक 18-11-69 | 50. सा. का. नि. सं. 318 दिनांक 6-5-89 |
| 11. सा. का. नि. सं. 1306 दिनांक 27-7-71 | 51. सा. का. नि. सं. 501 दिनांक 22-7-89 |
| 12. सा. का. नि. सं. 1 दिनांक 21-12-73 | 52. सा. का. नि. सं. 502 दिनांक 22-7-89 |
| 13. सा. का. नि. सं. 690 दिनांक 22-6-74 | 53. सा. का. नि. सं. 649 दिनांक 22-8-89 |
| 14. सा. का. नि. सं. 275 दिनांक 14-2-75 | 54. सा. का. नि. सं. 650 दिनांक 22-8-89 |
| 15. सा. का. नि. सं. 409 दिनांक 29-3-75 | 55. सा. का. नि. सं. 651 दिनांक 22-8-89 |
| 16. सा. का. नि. सं. 1300 दिनांक 11-9-76 | 56. सा. का. नि. सं. 844 दिनांक 25-10-89 |
| 17. सा. का. नि. सं. 426 दिनांक 8-3-78 | 57. सा. का. नि. सं. 102 दिनांक 5-2-90 |
| 18. सा. का. नि. सं. 728 दिनांक 28-4-78 | 58. सा. का. नि. सं. 241 दिनांक 29-3-90 |
| 19. सा. का. नि. सं. 1296 दिनांक 4-10-79 | 59. सा. का. नि. सं. 302 दिनांक 16-4-90 |
| 20. सा. का. नि. सं. 1100 दिनांक 9-10-80 | 60. सा. का. नि. सं. 303 दिनांक 10-5-90 |
| 21. सा. का. नि. सं. 1099 दिनांक 9-10-80 | 61. सा. का. नि. सं. 514 दिनांक 30-7-90 |
| 22. सा. का. नि. सं. 164 दिनांक 10-2-83 | 62. सा. का. नि. सं. 515 दिनांक 7-8-90 |
| 23. सा. का. नि. सं. 843 दिनांक 19-11-83 | 63. सा. का. नि. सं. 3052 दिनांक 7-10-90 |
| 24. सा. का. नि. सं. 844 दिनांक 19-11-83 | 64. सा. का. नि. सं. 782 दिनांक 13-12-90 |
| 25. सा. का. नि. सं. 217 दिनांक 25-2-84 | 65. सा. का. नि. सं. 783 दिनांक 13-12-90 |
| 26. सा. का. नि. सं. 231 दिनांक 20-2-85 | 66. सा. का. नि. सं. 784 दिनांक 13-12-90 |
| 27. सा. का. नि. सं. 21 दिनांक 24-12-85 | 67. सा. का. नि. सं. 314 दिनांक 30-4-91 |
| 28. सा. का. नि. सं. 275 दिनांक 3-3-86 | 68. सा. का. नि. सं. 2146 दिनांक 26-7-91 |
| 29. सा. का. नि. सं. 306 दिनांक 11-4-80 | 69. सा. का. नि. सं. 123 दिनांक 30-12-92 |
| 30. सा. का. नि. सं. 70 दिनांक 22-6-80 | 70. सा. का. नि. सं. 124 से 131 दिनांक 30-12-92 |
| 31. सा. का. नि. सं. 961 दिनांक 24-10-86 | 71. सा. का. नि. सं. 132 से 134 दिनांक 30-12-92 |
| 32. सा. का. नि. सं. 353 दिनांक 22-4-87 | 72. सा. का. नि. सं. 135 से 137 दिनांक 30-12-92 |
| 33. सा. का. नि. सं. 365 दिनांक 22-4-87 | 73. सा. का. नि. सं. 138 से 141 दिनांक 30-12-92 |
| 34. सा. का. नि. सं. 430 दिनांक 20-5-87 | 74. (142) सा. का. नि. संख्या 292 दिनांक 27-5-93 |
| 35. सा. का. नि. सं. 598 दिनांक 31-7-87 | 75. (143) सा. का. नि. संख्या-----दिनांक----- |
| 36. सा. का. नि. सं. 597 दिनांक 31-7-87 | 76. (144) सा. का. नि. संख्या-----दिनांक----- |
| 37. सा. का. नि. सं. 921 दिनांक 30-11-87 | 77. (145) सा. का. नि. संख्या-----दिनांक----- |
| 38. सा. का. नि. सं. 922 दिनांक 3-12-87 | 78. (146) सा. का. नि. संख्या-----दिनांक----- |
| 39. सा. का. नि. सं. 264 दिनांक 5-4-88 | 79. (147) " " " ----- " ----- |
| 40. सा. का. नि. सं. 479 दिनांक 18-6-88 | 80. (148) " " " ----- " ----- |
| | 81. (149) " " " ----- " ----- |
| | 82. (150) " " " ----- " ----- |
| | 83. (151) " " " ----- " ----- |
| | 84. (152) " " " ----- " ----- |
| | 85. (153) " " " ----- " ----- |

New Delhi, the 28th April, 1995

S. No. GSR No. Dated

S.O. 1315.—In exercise of the powers conferred by sub-section (1) and (2) of section 620-A of the Companies Act, 1956 (1 of 1956), the Central Government hereby declares M/s. Sullivan Garden Benefit Fund Limited having its Registered Office at No. 8 Karpagamahal Nagar, Near Nageswara Rao Park, Mylapore-Madras 600004 in the state of Tamil Nadu to be a Nidhi, and directs that the provisions of the said Act, specified in column (1) of Schedule III annexed to the notification of the Government of India in the Ministry of Commerce and Industry (Department of Company Law Administration) No. G.S.R. 978, dated the 28th May, 1963 shall not apply, or as the case may be, shall apply with the exceptions, modifications and adaptations specified in the corresponding entry in column (2) thereof, to the said Nidhi and makes the following amendment in the said notification, namely :—

In Schedule I to the said Notification, after serial No. 153 and the entries relating thereto, the following item and entries shall be added, namely :—

"154. SULLIVAN GARDEN BENEFIT FUND LIMITED".

(F. No. 37/51/94-CL-III)

DHARAM PAI., Under Secy.

Foot Note :—The Principal Notification was noticed vide G.S.R. No. 978 dated 28th May, 1963 and Subsequently amended vide :—

S. No. GSR No. Dated

1. 1691	11-10-63
2. 853	04-06-64
3. 297	12-08-65
4. 1332	30-08-65
5. 111	14-01-66
6. 1543	01-10-66
7. 607	29-04-67
8. 608	29-04-67
9. 1466	06-06-69
10. 2707	18-11-69
11. 1306	27-07-71
12. 1	21-12-73
13. 690	22-06-74
14. 275	14-02-75
15. 409	29-03-75
16. 1300	11-09-76
17. 426	08-03-78
18. 728	28-04-78
19. 1296	04-10-79
20. 1100	09-10-80
21. 1099	09-10-80
22. 164	10-02-83
23. 843	19-11-83
24. 844	19-11-83
25. 217	25-02-84
26. 231	20-02-85
27. 21	24-02-85
28. 275	03-03-86
29. 306	11-04-86
30. 70	22-06-86
31. 961	24-10-86
32. 353	22-04-87

33. 365	22-04-87	
34. 430	20-05-87	
35. 598	31-07-87	
36. 597	31-07-87	
37. 921	30-11-87	
38. 922	03-12-97	
39. 264	05-04-88	
40. 477	18-06-88	
41. 515	25-06-88	
42. 597	15-07-88	
43. 596	15-07-88	
44. 598	15-07-88	
45. 800	22-09-88	
46. 961	17-12-88	
47. 32	06-12-88	
48. 959	17-12-88	
49. 960	17-12-88	
50. 318	06-05-89	
51. 501	22-07-89	
52. 502	22-07-87	
53. 647	22-08-89	
54. 650	22-08-89	
55. 651	22-08-89	
56. 844	25-10-89	
57. 102	05-02-90	
58. 241	29-03-90	
59. 302	16-04-90	
60. 303	10-05-90	
61. 514	30-07-90	
62. 515	07-08-90	
63. 3052	07-10-90	
64. 782	13-12-90	
65. 783	13-12-90	
66. 784	13-12-90	
67. 314	30-04-91	
68. 2146	26-07-91	
69. 123	30-12-92	(123)
70. 103	18-03-93	(124 to 131)
71. 272	12-05-93	(132 to 134)
72. 291	27-05-93	(135 to 137)
73. —	— — — —	(138 to 141)
74. 292	27-05-93	(142)
75. —	— — — —	(143)
76. —	— — — —	(144)
77. —	— — — —	(145)
78. —	— — — —	(146)
79. —	— — — —	(147)
80. —	— — — —	(148)
81. —	— — — —	(149)
82. —	— — — —	(150)
83. G.S.R. No.	Dated	(151)
84. G.S.R. No.	Dated	(152)
85. G.S.R. No.	Dated	(153)

गृह मंत्रालय

अधिसूचना संख्या 66/1995

पुनर्वासि प्रभाग (बंदोबस्त)

इंदौर, 20 अप्रैल 1995

नई दिल्ली, 27 अप्रैल 1995

का.आ. 1316.—विस्थापित व्यक्ति (प्रतिकर एवं पुनर्वासि) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा गृह मंत्रालय पुनर्वासि प्रभाग के बंदोबस्त खंड में सहायक बंदोबस्त अधिकारी श्री जी.एन. जैना को उक्त अधिनियम के द्वारा या उसके अधीन एक प्रबंध अधिकारी को सौंपे गए कार्यों का निष्पादन करने के लिए तत्काल प्रभाव से प्रबंध अधिकारी नियुक्त करती है।

[सं. 1(2)/93-बंदोबस्त]

आर. एम. आहुजा, अवर सचिव

MINISTRY OF HOME AFFAIRS

Rehabilitation Division (Settlement)

New Delhi, the 27th April, 1995

S.O. 1316.—In exercise of the powers conferred by sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri G. N. Jena, Assistant Settlement Officer in the Settlement Wing of the Rehabilitation Division, Ministry of Home Affairs, as Managing Officer for the purpose of performing the functions assigned to a Managing Officer by or under the said Act, with immediate effect.

[No. 1(2)/93-Settlement]

R. S. AHUJA, Under Secy.

समाहर्तृलय केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क

अधिसूचना संख्या 65/1995

इंदौर, 20 अप्रैल 1995

का.आ. 1317.—इंदौर समाहर्तृलय के श्री एम. ए. देशपांडे, अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह "ख" नियुक्ति प्राप्त करने पर दिनांक 30-11-94 (अपराह्न) से शासकीय सेवा से निवृत्त हुए।

[प. सं. II(3)/9-गोप/93]

गोविंदन शे. तंपी, समाहर्ता

CENTRAL EXCISE COLLECTORATE

NOTIFICATION NO. 65/1995

Indore, the 20th April, 1995

S.O. 1317.—Shri M. A. Deshpande, Superintendent, Central Excise Group 'B' of Indore Collectorate having attained the age of superannuation retired from Government service on 30-11-1994 (A.N.).

[C. No. II(3)/9-Con./93]

GOVINDAN S. TAMPI, Collector.

का.आ. 1318.—श्री ए. के. मित्रा, अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह "ख" समाहर्तृलय इंदौर का दिनांक 20-12-1994 को सार्वकाल को देहांत हो गया।

[प. सं. II(3)/9-गोप/93]

गोविंदन शे. तंपी, समाहर्ता

NOTIFICATION NO. 66/1995

Indore, the 20th April, 1995

S.O. 1318.—Shri A. K. Mitra, Superintendent, Central Excise Group 'B' of Indore Collectorate expired on 20-12-1994 evening.

[C. No. II(3)/9-Con./93]

GOVINDAN S. TAMPI, Collector.

अधिसूचना संख्या सीईआर/आर-5/2/95

तकनीकी

नागपुर, 26 अप्रैल, 1995

का.आ. 1319.—केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 5 के अधीन सौंपी गयी शक्तियों का प्रयोग करते हुये, मैं एतद्वारा केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 185(1) के परन्तुक के अंतर्गत निर्यात पैकेजों पर मामला दर मामला आधार पर विनिर्माता का नाम एवं विनिर्माण का स्थान दर्शाने की आवश्यकता में छूट देने के लिये समाहर्ता की शक्तियों को प्रभागों के प्रभारी सहायक समाहर्ता, केन्द्रीय उत्पाद शुल्क को तत्काल से प्रत्ययोपेक्षित करता हूं।

[प. सं. IV(16)/8-22/80/भाग-II/9347]

सेड. बी. नगरकर, समाहर्ता

NOTIFICATION NO. CER/R-5/2/95

(TECHNICAL)

Nagpur, the 26th April, 1995

S.O. 1319.—In exercise of the powers conferred upon me under Rule 5 of Central Excise Rules, 1944 I hereby delegate the Collector's powers under proviso to Rule 185(1) of Central Excise Rules, 1944 with immediate effect to the Assistant Collector of Central Excise in charge of the Divisions for grant of relaxation of the requirement of indicating the name of manufacturer and place of manufacture on export packages on case to case basis.

[No. IV(16)/8-22/80Pt. II/9347]

Z. B. NAGARKAR, Collector

आधिसूचना न. 5/95

रायपुर, 1 मई, 1995

का.आ. 1320.—श्री बा. के. चक्रवर्ती, सहायक समा-हर्ता, समूह "क" केन्द्रीय उत्पाद शुल्क रायपुर निवृत्त की आयु प्राप्त करने पर दिनांक 30-4-1995 को अपराह्न में शामकीय सेवा से निवृत्त हुए हैं।

[प. फा. सं. II(3)3-गोप./91/4353]

आर. सो. वर्मा, समाहर्ता

NOTIFICATION NO. 5/95

Raipur, the 1st May, 1995

S.O. 1320.—Shri B. K. Chakraborty, Assistant Collector, Central Excise Group 'A' of Raipur Collectorate having attained the age of superannuation, retired from Government service on 30-4-95 in the afternoon.

[C. No. II(3)3-Con/91/4458]
R. C. VERMA, Collector

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 27 अप्रैल, 1995

का.आ. 1321.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिकारिश पर यह घोषणा करती है कि उक्त अधिनियम की धारा 11 की उपधारा 1 के उपबंध इस अधिसूचना के भारत के राजपत्र में प्रकाशित होने की तारीख से 31 मार्च, 1997 तक जिला सहकारी बैंक लि., बलिया (उत्तर प्रदेश) पर लागू नहीं होंगे।

[फा. सं. 1(5)/95-ए सो]

मुधीर श्रीवास्तव उप सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 27th April, 1995

S.O. 1321.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Zilla Sahakari Bank Ltd. Ballia (U.P.) from the date of publication of this notification in the Official Gazette to 31st March, 1997.

[F. No. 1(5)/95-Ac]

SUDHIR SRIVASTAVA. Dy. Secy.

नई दिल्ली, 4 मई, 1995

का.आ. 1322.—राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 3 के उपखंड (1) के साथ, पठित बैंककारी कंपनी (उपक्रमों का अर्जन एवं अंतरण) अधिनियम, 1970 की धारा 9 की उपधारा (3) द्वारा दत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारतीय 1077 GI/95—2

राज्य बैंक से परामर्श करने के पश्चात् एतद्वारा निम्नलिखित व्यक्तियों को 4 मई, 1995 को आरम्भ होने वाली तीन वर्षों की अवधि के लिए बैंक आफ महाराष्ट्र के निदेशक के रूप में नामित करती है :—

(1) श्री शंकर प्रसाद शर्मा बैंककारी कंपनी (उपक्रमों का ग्राम एवं पोस्ट—अनूपपुर, अर्जन एवं अंतरण) अधिनियम, जिला—शहडोल (म.प्र.) 1970 की धारा 9 की उपधारा (3ए) के साथ पठित उपधारा (3) के खंड (ज) के अनुसरण में।

(2) श्री अधिनाथ लक्ष्मीकांत पाटिल —तदेव—
“लक्ष्मी निर्मल” हाउस,
प्लॉट नं. 2992,
सीआईसीसीओ, नं. 3 सेक्टर,
जालना रोड,
ओरंगाबाद-431003

(3) श्री प्रकाश हरचन्द पारेख, —तदेव—
584/1, सैलिसबरी पार्क,
पुणे-1

(4) श्री टी. पी. एम. इब्राहिम खान, —तदेव—
एडवोकेट, यूनाइटेड चैम्बर्स,
एसआर एम रोड,
कोल्हिव-682018

(5) श्री चन्दासाई सुदर्शन, —तदेव—
1-2-597/6, लोवर
टैंक बंध रोड,
दोमालगुडा, हैदराबाद-500029

(6) डा. निरंजन उमेश जोशी, —तदेव—
27, उमेश धाम,
लोक मान्य तिलक कालोनी,
नं. 2, दादर (पूर्व)
बम्बई-440014

2. राष्ट्रीयकृत बैंक (प्रबंध एवं प्रकीर्ण उपबंध) स्कीम, 1970 के खंड 9 के उपबंधों के अनुसार, केन्द्रीय सरकार, एतद्वारा निदेश देती है कि उपर्युक्त पैरा 1 में उल्लिखित निदेशकों के नामांकन के परिणामस्वरूप, निम्नलिखित व्यक्ति तत्काल प्रभाव से बैंक आफ महाराष्ट्र के बोर्ड में निवेशक नहीं रहेंगे :—

(1) श्रीमती विनीता गोस्वामी
(2) श्रीमती मुकुल भा
(3) श्री आर. एन. धृत
(4) श्री निर्मल घोष
(5) श्री मदन वर्मा

[सं. 9/34/92-बी. ओ.- I]

के. के. मंगल, अवसर सचिव

New Delhi, the 4th May, 1995

(व्यय विभाग)

नई दिल्ली, 4 मई, 1995

S.O. 1322.—In exercise of the powers conferred by sub-section (3) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby nominates the following persons as Directors of Bank of Maharashtra for a period of three years commencing on 4th May, 1995:—

- | | |
|---|--|
| (1) Shri Shankar Prasad Sharma,
At & PO Anuppur,
Distt. Shahdol (M.P.) | In pursuance of Clause (h) of sub-section (3) read with sub-section (3A) of Section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970. |
| (2) Shri Avinash Lakshmikant Patil,
'Lakshmi Nirmal' House,
Plot No. 299, N-3 Sector,
CIDCO, Jalna Road,
Aurangabad-431003. | -do- |
| (3) Shri Prakash Harakchand Parakh,
584/1, Salisbury Park,
Pune-1. | -do- |
| (4) Shri T.P.M. Ibrahim Khan,
Advocate, United Law Chambers,
S.R.M. Road,
Kochi-682018. | -do- |
| (5) Shri Chandadaj Sudarshan,
1-2-597/6, Lower Tank Bund Road,
Domalguda, Hyderabad-500029. | -do- |
| (6) Dr. Niranjana Umesh Joshi,
27, Umesh Dham,
Lokmanya Tilak Colony No. 2,
Dadar (East)
Bombay-400014 | -do- |

2. In accordance with the provisions of Clause 9 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby directs that consequent to nomination of the Directors as mentioned in para 1 above, the following persons shall cease to be Directors on the Board of Bank of Maharashtra with immediate effect.

- (1) Smt. Vinita Goswami.
- (2) Smt. Mukul Jha
- (3) Shri R.N. Dhoot
- (4) Shri Nirmal Ghosh
- (5) Shri Madan Verma

[F. No. 9/34/92-BO. I]
K.K. MANGAI., Under Secy.

का. आ. 1323—केन्द्रीय सरकार, सरकारी स्थान (प्रसाधिका) अधिनियमों, की वेबसाई, अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, नीचे की सारणी के स्तम्भ (1) में उल्लिखित अधिकारी को, जो सरकार का एक राजपत्रित अधिकारी है, उक्त अधिनियम के प्रयोजन के लिए संपदा अधिकारी नियुक्त करती है, जो उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों की बाबत अपनी अधिकारिता की सीमाओं के भीतर उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और उस पर अधिरोपित कर्तव्यों का पालन करेगा।

सारणी

अधिकारी का पदनाम	अधिकारिता की स्थानीय सीमाएं
1	2
उप लेखापरीक्षा निदेशक/ लेखापरीक्षा निदेशक, रक्षा सेवाएं, पश्चिमी कमान, चण्डीगढ़	उप लेखापरीक्षा निदेशक/ लेखापरीक्षा निदेशक, रक्षा सेवाएं पश्चिमी कमान, चण्डीगढ़ के प्रशासनिक नियंत्रणधीन सरकारी स्थान।

[फा. सं. ए-11013 (6) 94-ई. जी.]
अनुराधा प्रसाद, अवर सचिव

(Department of Expenditure)

New Delhi, the 4th May, 1995

S.O. 1323.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the Officer mentioned in column (1) of the Table below being gazetted officer of Government, to be the Estate Officer for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on Estates Officer by or under the said Act, within the local limits of his jurisdiction in respect of public premises specified in the corresponding entry in column (2) of the said Table.

TABLE

Designation of Officer	Local limits of jurisdiction
1	2
The Deputy Director of Audit/Director of Audit, Defence Services, Western Command, Chandigarh.	Public Premises under the administrative control of the Deputy Director of Audit/The Director of Audit, Defence Services, Western Command, Chandigarh.

[F. No. A-11013/6/94-EG.]
ANURADHA PRASAD, Under Secy.

नागरिक प्रति, उपभोक्ता मामले

और सार्वजनिक वितरण मंत्रालय

भारतीय मानक ब्यूरो

नई दिल्ली, 19 अप्रैल, 1995

का. प्रा. 1324—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1985 के उपविधायक (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं:

अनुसूची

क्रम सं.	लाइसेंस संख्या	लाभ होने की तिथि	लाइसेंसधारी का नाम व पता	लाइसेंस के अधीन वस्तु/प्रक्रिया और सम्बद्ध	IS नं./पार्ट
1	2	3	4	5	6
1.	5026750	940501	द टाटा आइरन एण्ड स्टील लि., (सीमेंट डिविजन), जेजोबेरा पो.ओ., राइरगोरा, जमशेदपुर-831016	पोर्टलैंड स्लेग सीमेंट	IS : 00455:89
2.	5026851	940601	उड़ीसा सीमेंट लिमिटेड, राजभंगपुर, सुन्दरगढ़, उड़ीसा-770017	43 ग्रेड साधारण पोर्टलैंड सीमेंट,	IS : 08112:89
3.	5026952	940601	सीमेंट इंडिया, एकोराटोली, बिनो ईगुट्टा गांव, पो.ओ. डिक्केन, डिक्कनगढ़	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 00269:89
4.	5027045	940601	देवराज इंडस्ट्रीज, 19/जी, हरीश नियोगी रोड, कलकत्ता 700067	प्लाईवुड की चाय पेटियां भाग 2 प्लाईवुड	IS 00010:76 भाग : 02
5.	5027146	940601	ईसीआई एमकेम प्रा. लि., गांव—उदयरजपुर (पू.) पो.ओ. उदयरजपुर, जिला 24 परगना (द.),	क्लोरोप्राइरिफॉस पायसनीय साम्र	IS : 08944:78
6.	5027247	940601	यूनिटेड बेक्रीस, कालापहाड़, लोकहारा रोड, पो. ओ. स्वाकुचो, गुवाहाटी 781018	बिस्कुट	IS : 01011:92
7.	5027348	940601	अशोक फाउंड्री, 8 ए, बरोनी इंडस्ट्रियल एरिया, पो.ओ. तिलरथ, वेगुसरई 851112	गहराई से पानी निकालने के साथ के बरमें (क्लोम)	IS : 13056:94
8.	5027449	940601	ब टिनप्लेट कम्पनी प्राफ इंडिया लि., गोलपुरी, जमशेदपुर 831003	जस्ताकृत इस्पात की चढ़र (सादी और जालीदार) पदनाम एकपी, जिक काटिंग, ग्रेड 220, जालीदार ग्रेड बी	IS : 00277:92
9.	5027550	940601	सरदार इंजीनियरिंग कंपनी, 68—श्रीकृष्णा बैंक लेन, हावड़ा 711101	मुकु इस्पात की नली, नलियां और अन्य पिटियां इस्पात पाइप फिटिंग	IS : 01239:92 भाग : 2
10.	5027651	940601	टीडीकोल (इंडिया), बंगालीपाड़ा, जिला सांभलपुर, झारखंड, उड़ीसा 768201	जीवाणुरोधी द्रव, काला	IS : 01061:82
11.	5027752	940601	श्री अमृतनगर आइरन एण्ड स्टील लि., प्रा. लि., 99, पी. एन. मालिया रोड, पो. प्रा. रानीगंज, जिला बर्दवान, वेस्ट बंगाल, रानीगंज	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य वाली विरूपित इस्पात की सरिया और तार	IS : 01786:85
12.	5027853	940601	बंगाल रोलिंग मिल्स लि., 2—ईश्वर चन्द्र चटर्जी लेन, ई-सावेपुर, 24-परगना (मार्थ) सावेपुर, पं०. बंगाल	कंक्रीट प्रबलन के लिए उच्च सामर्थ्य वाली विरूपित इस्पात की सरिया और तार	IS : 01786:85

1	2	3	4	5	6
13.	5027954	940601	भारत मेटल एण्ड इंडस्ट्रियल वर्क्स, 2—निओगीपाड़ा रोड, बाडामगर, कलकत्ता 700 036	बिना वाक के स्टोव	IS : 02980 : 86
14.	5028047	940601	कोणार्क जूट लिमिटेड, धान मंडल, जयपुर जिला जयपुर	भारतीय जूट-305जी/एसम्यूएमएटी 16 % संकुचित रिगोन	IS 02818 : 71 भाग : 2
15.	5045153	940601	पयरासिड वेकेजिंग प्रा. लि., ए-151(ए) 5वां सेन, 11 स्ट्रेज, पेन्ना इंडस्ट्रियल एस्टेट, बंगलौर-560058	व्यापारिक उच्च बिस्कोटकों के लिए नलीवार फाइबर बोर्ड बायम	IS : 10210 : 86 भाग : 01
16.	5045254	940501	श्रीदेवी पुल्वराइजर्स, ए-5, इंडस्ट्रियल एस्टेट, कुरुनूल रोड, प्रकासम जिला, आंगोले, ४ आंध्र प्रदेश 523 002	मेगाडल पेरथियोन 50 % ईसा	IS : 02865 : 78
17.	6045355	94-06-01	इटाची-हार्ड स्ट्रेंथ हाइयो लि., भानजाबाडी गांव, हकर तालुक, धर्मपुरी जिला, तमिलनाडु	स्थायीकृत धिरंजक खूं	IS : 01065 : 89
18.	6045456	94-06-01	बाल्व डेक्स (प्रा.) लि., 1/14 एण्ड 15 इंडस्ट्रियल एरिया, गजुलामंडालम, समीप रेजीगंटा, चिट्टूर जिला, आंध्र प्रदेश 517520	गैस सिलिंडर के बाल्व (इपैने सिलिंडरों के बाल्वों को छोड़कर)	IS : 03224 : 79
19.	6045557	94-06-01	अखिल इंडस्ट्रीज, 28/29 मयानडानहल्ली, मैसूर रोड, बंगलौर 560039	सीम डांचे के सिरे सहित निमज्जन पम्प	IS : 08034 : 89
20.	6045658	94-06-01	आकाश इंटर प्राइसेस, 641/1 एम.टी.एच. रोड, धवाडी, मद्रास 600054	गैस, मैस और जल-मल पाइप के लिए रबड़ सीलिंग रिंग, टाइप 2, प्राकृतिक और सिंथेटिक रबड़ (सीवीआर)	IS : 05382 : 85
21.	6045759	94-06-01	बी.आई.एस.पीस बिजनेस लिंक, 453/1 धर्मासरी, नल्लीकुट, पी.ओ. मंजजेरी, मालापुरम जिला, केरल 676122	सामान्य सेवा के लिए लेम्प 230 वोल्ट कुण्डलित कुण्डली, बी-22 केप, 25 वाट और 40 वाट	IS : 00418 : 78
22.	6045860	94-06-01	व इंडिया सीमेंट लिमिटेड, संकारी बक्स, संकारी वेस्ट, सालेन जिला, संकारी वेस्ट, तमिलनाडु 677303	43 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 08112 : 89
23.	6045961	94-06-01	धोहलेर फ्लेवोरेड प्रा.लि., ए-18, सिडको इंडस्ट्रियल एस्टेट, एलायूरगांव, चिंगलपट्ट तालुक छंगाई मार्ग जिला, तमिलनाडु ।	कोलतार खाद्यरंग निगमितियां और मिश्रण केबल	IS : 05346 : 75
24.	6046054	94-06-01	कम्पना इंजीनियरिंग वर्क्स, 371-ए, संगतोर रोड, गणपति, कोयम्बतूर 641006	नीन गेसी प्रेरण मोटर 4, 15 वोल्ट एसी, 50 हर्ट्ज, श्रेणी बी, रोधी 4 वोल्ट इयूटी एस-1, रेटिंग 2, 2 किलो	IS : 00325 : 78
25.	7041756	94-04-01	फिनोलेक्स केबल लि., 26/27 बम्बई पूरणोरोड पिम्परी, पूना 4111013	बेल्डकृत केबल	IS : 09857 : 90
26.	7041857	94-04-01	त्रिवेणी फॉर्जिंग एण्ड इस्पान उद्योग, प्लॉट नं. ई-20, एमआईडीसी इंडस्ट्रियल एस्टेट, हिंगना रोड, नाबलूर 440028	केबलों के कबल के लिए मुदु इस्पान के तार पत्तियां और टेप	IS : 03975 : 79

1	2	3	4	5	6
27.	7041958	94-04-01	खोसला प्लास्टिक प्रा.लि., 45 ए, लक्ष्मण राव किरलोस्कर मार्ग, समीप किरलोस्कर आयल इमिन खड़की, पूना 411003	घरेलू और सम्बंध कार्यों के लिए स्विच आईएस 038541:88	
28.	7042051	94-04-01	एवंगो गैस कंटेनर्स प्रा.लि., प्लॉट ए-10, एमआईडीसी, मुरबाद, थाणे जिला 421401	अल्पदाब द्रवणीय गैसों के लिए केबल आईएस 03196:92 5 लिटर क्षमता से अधिक के अल्पकार्बन बेल्डेड इस्पात गैस सिलिंडर गैस : भाग 2 द्रवणीय गैसों को छोड़कर अल्पकार्बन गैस के सिलिंडर	
29.	7042152	94-03-01	सुपर इंडस्ट्रीज, सी-1/289 जीआईडीसी स्टेट, नरोदा, अहमदाबाद 382330	गामा-आएचसी (लिडिंग) ईसी आईएस 00632:78	
30.	7042253	94-04-01	नागपुर फेब्रीकोग प्रा.लि., एल-2, एमआईडीसी, हिंगना रोड, नागपुर 440016	क्लोरीन गैस के लिए अल्पकार्बन आईएस 07681:85 बेल्डेड इस्पात गैस सिलिंडर	
31.	7042384	94-04-01	कृष्ण मेटल इंडस्ट्रीज, एन-3,4 कस्तूरा एस्टेट, गोडदेव, भयान्न (ई) थाणे 401105	पिटवां एल्युमिनियम के बर्तन भाग आईएस 01660:82 1 भोजन पकाने, परोसने और रखने के भाग : 01 बर्तन	
32.	7042455	94-04-01	प्लास्टो कंटेनर्स (इंडिया) प्रा.लि., जे-3 एमआईडीसी, नागपुर 1	आर्बोरी संकचित पोलाइथाइलीन के आईएस 12701:89 पानी के संग्रहीकरण	
33.	7042556	94-04-01	नागपुर फेब्रीकोग प्रा.लि., एल-2 एमआईडीसी, हिंगना रोड, नागपुर 440016	अल्पदाब द्रवणीय गैसों के लिए केबल आईएस 03196:92 5 लिटर क्षमता से अधिक के अल्पकार्बन भाग : 02 बेल्डेड इस्पात गैस सिलिंडर गैस : भाग 2 द्रवणीय गैसों को छोड़कर अल्पकार्बन गैस सिलिंडर	
34.	7042637	94-04-01	नागपुर फेब्रीकोग प्रा.लि., एल-2, एमआईडीसी, हिंगना रोड, नागपुर 440016	अमोनिया गैस के लिए अल्पकार्बन आईएस 07680:85 बेल्डेड इस्पात के सिलिंडर (निर्जलीय)	
35.	7042758	94-04-01	यूनाइटेड फॉसफोरस लि., 3101/2 जीआईडीसी एस्टेट, अंकलेश्वर 393002	अमोनिया गैस के लिए अल्पकार्बन आईएस 11997:87 बेल्डेड इस्पात के सिलिंडर (निर्जलीय)	
36.	7042859	94-04-01	सुपर इंडस्ट्रीज, सी-1/239 जीआईडीसी एस्टेट, नरोदा अहमदाबाद 382330	बीएचसी (एचसीएच) ध्रुवन पाउडर आईएस 00561:78	
37.	7042960	94-04-16	गंगा क्रॉप सेफ प्रा.लि., मा-1/30/53 जीआईडीसी, फेस 3, बड़ोदा, अहमदाबाद 1	बलॉरोपाइरफॉस, ईसी आईएस 08944:78	
38.	7043053	94-04-16	गैस्टेटर्न (इंडिया) लि., प्लॉट नं. ई-1 से ई-4, एमआईडीसी, सतपुर, नासिक 422007	बुहरे सिलिंडर वाली धूर्णी मशीन के आईएस 01222:92 लिए बुपलीकेटिंग स्याहो	
39.	7043154	95-04-01	बीमस एग्रो इंडस्ट्रीज, 4906 फेस 4, जीआईडीसी, वतवा अहमदाबाद 1	निमज्जन पम्प आईएस 008034:89	

1	2	3	4	5	6
40.	7043255	94-04-01	नेप इंजीनियरिंग कम्पनी, प्लॉट नं. 12 और 13, शिरोली, (पुलाधी) हतकानांगली, कोल्हापुर जिला 416122	पूर्व प्रबलित कंक्रीट के पाइप	आईएस 00458:88
41.	7043356	94-04-01	मार्शल पम्पस प्रा.लि., मावई प्लॉट, सम्मुख : परगना फाउंड्री, राजकोट 360004	निमज्जन पम्प	आईएस 008034:89
42.	7043457	94-04-01	श्री भारत सीमेंट पाइप कं., प्लॉट नं. डी-22, एमआईसी शिरोली, तह. हतकानांगली कोल्हापुर जिला	पूर्वप्रबलित कंक्रीट के पाइप	आईएस 00458:88
43.	7043558	94-04-01	मोसार पम्प प्रा.लि., सबलपुर जूनागढ़, जीआईसी 2, प्लॉट नं. 1209, जूनागढ़	निमज्जन पम्प	आईएस 08034:89
44.	7043659	94-04-01	सुपर इंडस्ट्रीज, सी-1/289 जीआईसीए स्टैंड, नरोधा, अहमदाबाद 382330	मिथाइल पैरायिथोन धूलन पाउडर	आईएस 08960:78
45.	7043760	94-04-01	फिकोम ओरगेनिक्स लिमिटेड, प्लॉट नं. 3204, जीआईसी इंडस्ट्रियल एरिया, अंकलेश्वर, भरुच जिला 393002	क्लोरोफास्फोरिक तकनीकी	आईएस 08963:78
46.	7043861	94-04-01	माप बैटरी एण्ड एलाइड इंडस्ट्रीज प्रा.लि., सी-331 टोटसी इंडस्ट्रियल एरिया, पावने गांव, थाणे	आवृत्ति संक्रमित पालीइथिलीन के पानों के संग्राही टैंक	आईएस 12701:89
47.	7043962	94-04-16	एम ई डी टैकन रबड़ एण्ड इंजीनियरिंग इंडस्ट्रीज, सिद्धपुर चार रास्ता (चौराहा), पाटन (उ. गुजरात) 384265	शल्याक्रिया के लिए रबड़ के दस्ताने	आईएस 04148:89
48.	7044055	94-05-01	किन्तर केबल, बी/90/2 बतवा जीआईसी एस्टेट, फेस 1, बैक आफ इंडिया के पीछे, बतवा, अहमदाबाद	1100 वो तक कार्यकारी बोल्टता के लिए पीवीसी रोधित केबल	आईएस 00694:90
49.	7044156	94-05-01	मेट्रो केबल इंडस्ट्रीज, नं-135 जीआईसी एस्टेट समीप नीका ट्यूब बतवा, अहमदाबाद 382445	1100 वो तक कार्यकारी बोल्टता के लिए पीवीसी रोधित केबल	आईएस 00694:90
50.	7044257	94-05-01	उनम्रा फार्मुलेशनम, खाली बार रास्ता, स्टेट हाइवे, खाली तालुक, सिद्धपुर (उ. गुजरात)	पशु आहार लिए प्रक. खनिज मिश्रण	आईएस 01664:92
51.	7044358	94-05-01	पंचमहल सीमेंट कं. लि., पोस्ट बाक्स नं. 35, हाहीड 393002	43 ग्रेड साधारण पोर्टलैंड सीमेंट,	आईएस 08112:89
52.	7044459	94-05-01	वशमेश केबल्स, प्लॉट नं. 52, इंडस्ट्रियल एरिया, खेमानी ओटी सेक्शन, उल्हासनगर, थाणे जिला 421002	शिरोपरि प्रेषण कार्यों के लिए एल्यु- मीनियम के बालक भाग 2 एल्यूमीनियम बालक, जस्तीकृत प्रबलित इस्पात	आईएस 00398:76 भाग: 02

1	2	3	4	5	6
53.	7044560	94-05-01	दशमेश केबल्स, प्लॉट नं. 52, इंडस्ट्रियल एरिया, खेमानी ओटी सेक्शन, उल्हास नगर, थाणे जिला 421002	शिरोपरि प्रबंध कार्यों के लिए एल्यू- मीनियम के बालक भाग 1 एल्यूमिनियम के लहवार चालक	आईएस 00398 : 76 भाग : 01
54.	7044661	94-05-01	बम्बई वायर रोपर्स लि., कोलशोट रोड, थाणे 400607	तेल के कुंओं से तेल निकालने के लिए तार के रस्से	आईएस 04521 : 77
55.	7044762	94-05-01	दशमेश केबल्स, प्लॉट नं. 52, इंडस्ट्रियल एरिया, खेमानी ओटी सेक्शन, उल्हास नगर, थाणे जिला 421001	निमज्जन मोटर के लिए पीवीसी रोधी लपेटत तार	आईएस 08783 : 78
56.	7044863	94-05-16	धारवा केमिकल्स लि., बी-27/29 एमआईडीसी, बोम्बोबर्नी, थाणे 421203	पेस्टीसाइड्स-एनीमोफॉन ईसी	आईएस 13403 : 92
57.	7044964	94-05-01	एमीन डीट ट्रेकर्स, लि., गेट नं. 566+570 1, कोरेगांव, सीमा तालुक सिरपुर, पुण जिला 412207	बिजली के उपस्करों के लिए ज्वाला- सह आवरण	आईएस 02148 : 81
58.	7045057	94-05-01	खाटू जूनकर लिमिटेड, प्लॉट नं. 3000, जीआईडीसी इंडस्ट्रियल एस्टेट, पोस्ट बाक्स नं. 40, अंकलेश्वर 393002	डाइमिथीएट तकनीकी	आईएस 08025 : 90
59.	7045158	94-05-01	खाटू जूनकर लिमिटेड, प्लॉट नं. 3000, जीआईडीसी इंडस्ट्रियल एस्टेट, पोस्ट बाक्स नं. 40, अंकलेश्वर 393002	डाइमिथीएट तकनीकी	आईएस 03902 : 75
60.	7045259	94-05-01	खाटू जूनकर लिमिटेड, प्लॉट नं. 3000, जीआईडीसी इंडस्ट्रियल एस्टेट, पोस्ट बाक्स नं. 40, अंकलेश्वर 393002	डाइमिथीएट तकनीकी	आईएस 04929 : 75
61.	7045360	94-05-16	खडेलवाल ब्रावर्स लिमिटेड, डिवीजन खडेलवाल द्यूम्स, पोस्ट खडेलवाल नगर, नागपुर जिला 441402	संरचना कार्यों के लिए इस्पात की द्यूम्स	आईएस 01161 : 75
62.	7045461	94-05-16	खडेलवाल ब्रावर्स लिमिटेड, डिवीजन खडेलवाल द्यूम्स, पोस्ट खडेलवाल नगर, नागपुर जिला 441402	नलिकाओं और अन्य पिटवा इस्पात फिटिंग के लिए मृदु इस्पात की द्यूम्स भाग 1 मृदु इस्पात की नली	आईएस 01239 : 90 भाग : 01
63.	7045562	94-05-01	पादमिल्लार इलेक्ट्रिकल इंडस्ट्रीज, प्लॉट नं. एच/28/2 फेज 3, एमआईडीसी, अकोला 444001		आईएस 07593 : 86 भाग : 01

1	2	3	4	5	6
64.	7045663	940501	नाकोबा ग्लास प्रा. लि., 701 जीआईडीसी बागजपडोजा, बडोदा जिला	सामान्य प्रयोजन के लिए अक्ष-स्वक्षीय मिश्रित	आईएस 03236 : 92
65.	7045761	940501	पेस्ट कंट्रोल (इंडिया) प्रा. लि., ए-6-10-11, मीरा इंड. एस्टेट, एमआईडीसी एरिया, मीरा, थाणे ■ 401104	क्लोरोपाइरिफॉस पायसनीय सान्द्र	आईएस 08944 : 78
66.	7045865	940601	ध्यास एग्रो इंडस्ट्रीज, मी/1/632 जीआईडीसी, मकारपुरा, बडोदा ■ 390010	मिचर्ड उपस्कर छत्ता प्रकार के फिल्टर	आईएस 12785 : 89
67.	7045966	940601	गायत्री पेस्टीकेम, 81/4 जीआईडीसी बसवा, अहमदाबाद ■ 38043	डाइक्लोरोबीस पायसनीय सान्द्र	आईएस 05277 : 78
68.	7046059	940616	यूनिफ्लैक्स केबल्स लिमिटेड, 162, जीआईडीसी उमेरगांव, बलसाड़ जिला, गुजरात ■ 396171		आईएस 07089 : 88 भाग : 01
69.	7046160	940616	यूनिफ्लैक्स केबल्स लिमिटेड, 162, जीआईडीसी उमेरगांव, बलसाड़ जिला, गुजरात ■ 396171	1100 बो. नर कार्यकारी बोस्टन के लिए इन्फेस्टोमर रोधित केबल	आईएस 09968 : 88 भाग : 1
70.	7046261	940601	यूनिप्लास्ट इंडिया लि., कावाइया, पोस्ट भीमपूर, नानी बामन ■ 396210	पेयजन आपूर्ति, मल और औद्योगिक वहिस्त्रावों हेतु उच्च घनत्व पॉलीथेन- आइजीपी पाउचर	आईएस 04984 : 87
71.	7046362	940616	जेकेबीएम लिमिटेड, 133-134 जीआईडीसी इंडस्ट्रियल एस्टेट, अंकलेश्वर, भरौचे ■ 393002	मोनोक्रोटोफॉस, एसएन	आईएस 08074 : 90
72.	7046463	940601	उत्तम फार्मेशन, छापी चार रास्ता, स्टेट हाइवे, छापी तालुक मिदपुर (व. गुजरात)		आईएस 07089 : 85 भाग : 02
73.	7046564	940601	यूनाइटेड फासफोरस लिमिटेड, 3101/2 जीआईडीसी, अंकलेश्वर ■ 393002	साइपरमेथरीन ईसी	आईएस 12016 : 87
74.	7046665	940601	टाटीवार एग्रो इंडस्ट्रीज, टी-31 एम आईडीसी, हिंगना, नागपुर ■ 440016	हाथ में चले जाने पीठपर लादे जाने वाले डिइकाबक भाग 1 पिस्टन टाइप	आईएस 03906 : 82 भाग : 01
75.	7046766	940601	जयसवाल भिको लिमिटेड, एफ-8/1 एमआईडीसी इंडस्ट्रियल एरिया, हिंगना रोड, नागपुर ■ 440016	मल, गंदे एवं संतानी पाइपों के लिए अपकेन्ट्री डब्ले (स्पन) स्पिगाट और	आईएस 03989 : 84
76.	7046867	940601	एशियम केबल्स एण्ड इंडस्ट्रीज लि. पोखरन रोड नं. 2, पोस्ट बाक्स नं. 11, थाणे ■ 400601	निमज्जन मोटर के लिए पीटीसी रोधी लपेटन तार	आईएस 08783 : 78
77.	7046968	940601	महाराष्ट्र इलेक्ट्रीसाइन्स लि., पेस्टीसाइन्स फार्मुलेशन प्लांट, प्लाट नं. डी-14, एमआईडीसी एरिया, शिवाजी प्रकीला-444104	बीएससी (एचसीएस) जल विसर्जनीय घुलन पाउडर	आईएस 00562 : 78

1	2	3	4	5	6
78.	7047081	940816	उनमा कार्मुलेमस, खाली चार रास्ता, स्टेट हाइवे, खाली तालुक, सिद्धपुर (द. गुजरात)	इलास्टोमर रोड केवल: भाग 2 कार्य कारो बोस्टता के लिए 3.3 कि.मी. से 11 किमी	आईएस 09968 : 81 भाग : 02
79.	7047162	940801	एशियन ग्रूप्स लिमिटेड, प्लॉट नं. 70, गांव अंकहोलो, तालुक काडी, छतराल, मेहसाणा जिला	मृदु इस्पात नली, नलिकाएं और अन्य पिंटिंग इस्पात फिटिंग भाग 1 मृदु इस्पात नली	आईएस 01239 : 92 भाग : 01
80.	7047263	940601	ट्रांसएनेस्ट्रा डोमिस्टिक प्राइवेट लिमिटेड, प्लॉट नं. 39, इंडो इंडस्ट्रियल एस्टेट नं. 4, नवगढ़ बसई रोड, बसई (पूर्व) ठाणे जिला	प्रोपोगेटर ईसो	आईएस 09665 : 81
81.	7047364	940801	गायत्री पेस्टोकेम, 81/4 जीआरडीसीसी, बतवा, अहमदाबाद 382445	फॉसफोमेथॉन, इन्सुल एससी,	आईएस 06177 : 81
82.	7047465	940601	विक्रम स्टोक्स एण्ड फ़ैब्रिकेटर्स, ए-37, एमआईडीसी, फेस 1, उस्मानाबाद 413501		आईएस 13152 : 81 भाग : 01
83.	7047566	940801	डेओरा बापर्स मशीन प्रा. लि., 8-ए, अर्चना इंड. एस्टेट, सम्मुख : अजीत मिल्स, रखेल, अहमदाबाद	मिरोपरि कार्यों के लिए एल्युमिनियम के बालक भाग 2 एल्युमीनियम के बालक जस्तिकृत इस्पात प्रबलित	आईएस 00393 : 76 भाग : 2
84.	7047667	940801	मार्डन प्राइवेट्स, पोस्ट बाक्स नं. 9075, खसरा कम्पाउंड, 1-बी पटेल रोड, गोरेगांव (पूर्व) बम्बई 400063	स्विच सॉकेट फ़ाउंटलेट (नात इंडर- लाफिंग टाइप)	आईएस 04615 : 68
85.	7047768	940601	खन्ना इंडस्ट्रियल पाइप प्रा. लि., प्लॉट नं. 216, गांव : खेनीवाली, तालुक शाहपुर, ठाणे जिला 421604	मृदु इस्पात की नली, नलियां और अन्य फिटिंग के लिए पिंटिंग इस्पात भाग 1 मृदु इस्पात की ट्यूब	आईएस 01239 : 90 भाग : 01
86.	7047869	940801	एम.एम. केमिकल्स, प्लॉट नं. 44, 47, 48, कालवन को-ओपरेटिव इंड. एस्टेट, कालवन, तालुक-कालवन, नासिक जिला 423501	स्याहीकृत विरंजक चूर्ण	आईएस 01065 : 89
87.	7047970	940601	किम केमिकल्स प्रा. लि., प्लॉट नं. जी-13/16, एमआईडीसी, तलीजा, राइगढ़ ।	नया विद्युत रोधी तेल	आईएस 00335 : 83
88.	7048063	940801	एस.यू. कम्पोजेंट्स, करतार बुड कम्पाउंड, एल.बी.एस. मार्ग, विक्रोली, बम्बई 400079	नियोजनीय पम्प	आईएस 08034 : 89

1	2	3	4	5	6
89	7048184	940601	केबटेक इंस्टीट्यूट, मीतल इंड. एस्टेट सं. 2, ग्रांड फ्लोर यूनिट नं. 1 और 4, गांव गवगई बसई रोड (घ) टापो 401202	पीपीसी रोधी (भारी ह्यूटी) बिजली के केबल भाग 1, 1100 बी तक कार्यकारी बोर्डना के लिए	आईएम 01554 : 88 भाग : 01
90.	7048265	940801	मुन्काड केबल्स, ए-52 सहकारी औद्योगिक बसहत, भरता रोड, मलगांव 425003	गिरोपरि कार्यों के लिए एल्युमिनियम के चालक भाग 2 एल्युमीनियम चालक अस्वीकृत इस्पात प्रबलित	आईएम 00398 : 76 भाग : 02
91.	7048366	940601	रेनबो केबल्स इंस्टीट्यूट, काहिरपुरा, समीप नरोडा नागरिक कॉन. स्टोर, नरोडा ग्राम, अहमदाबाद 382345	1100 बी तक कार्यकारी बोर्डना के लिए पीपीसी रोधी केबल	आईएम 00694 : 90
92.	7048467	940801	रेनबो केबल्स इंस्टीट्यूट, काहिरपुरा, समीप नरोडा नागरिक कॉन स्टोर, नरोडा ग्राम, अहमदाबाद 382345	पीपीसी रोधी (भारी ह्यूटी) बिजली के केबल भाग 1, 1100 बी तक कार्यकारी बोर्डना के लिए	आईएम 01554 : 88 भाग : 01
93.	7048588	940601	गजाम्यूजा सीमेंट, मर्बे सं. 39 और 40, मगवाला शिपयार्ड के निकटवर्ती, मगवाला गोर रोड, गांव वेवियर, माणिक बीरासी, सूरत जिला 1	53 घंटे साधारण पोर्टलैंड सीमेंट	आईएम 12269 : 87
94.	8053263	940401	गिव इंस्टीट्यूट कार्पो., 428-31 टिक्की बालान का रास्ता, किशनपॉल बाजार, जयपुर 302001	इस, गोंद और कार्यालय टाइप कागज बी	आईएम 02257 : 99
95.	8053364	940501	अतुल पेस्टीसाइड्स प्रा. लि., एच सी-9 इंस्टीट्यूट एरिया, मिकलाबाद 1 जिला दुलन्दनहर (उ.प्र.)	इन्सिमिथोइल	आईएम 03933 : 84
96.	8053465	940501	इसेक्टर पेस्टीसाइड्स, 7.4 किमी. जनसस्ता रोड, मुजफ्फरनगर,	इंडोमैफान ईमी 25% आईएम 04323 : 80	
97.	8053566	940601	जिनार सीमेंट प्रा. लि., गांव परशरामपुरा, तह. शिवालगाड़, जिला मुनमुन, राजस्थान	साधारण पोर्टलैंड सीमेंट	आईएम 00289 : 89
98.	8053667	940601	जी.के. सीमेंट प्रा. लि., ए-336 एम आई एरिया, भलवर (राजस्थान)	साधारण पोर्टलैंड सीमेंट,	आईएम 00269 : 69
99.	8053768	940501	सी.के. स्टील प्राइवेट्स, गांव —मुजापुर काला, जिला खांडवा, मध्य प्रदेश 1	15 किग्रा. के चौकोर टिन	आईएम 10325 : 89
100.	8053869	940501	इसेक्टर पेस्टीसाइड्स, 7.4 किमी. जनसस्ता रोड, मुजफ्फरनगर,	इंसिमिथोइल, 26% ईमी	आईएम 03277 : 78
101.	8053970	940601	इसेक्टर पेस्टीसाइड्स, 7.4 किमी. जनसस्ता रोड, मुजफ्फर नगर,	मोनोक्रोटोफॉस 36% एसएल	आईएम 08074 : 90

1	2	3	4	5	6
102	8054063	940601	गुपर इंडियन एग्री प्रोसेस इंडस्ट्रीज, मकुलर रोड, समीप गांधी आश्रम, मुजफ्फर नगर 251001	पाथ जामित डिइकाबक	आईएस 03652: 82
103	8054164	940601	इमेवटा वेस्तीमार्डिंग, 7.4 किमी. जनमरता रोड, मुजफ्फर नगर	मिथाइल पैराथियॉन 50% ईसी	आईएस 03865: 78
104	8054263	940601	नामो सीमेंट, गांव नरेंद्र, कोटपुतली, अजपुर	33 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 00269: 89
105	8054366	940601	हीरा इंडस्ट्रीज लि., गांव पंथरीपानी, गिवाम रोड, जगदालपुर (मध्य प्रदेश)	53 ग्रेड साधारण पोर्टलैंड सीमेंट	आईएस 12269: 87
106	8054467	940601	रानी सागर सीमेंट प्रा. लि., गांव रानी सागर, पोस्ट पिपलाम, तहसील बघावर, ज़िला अजमेर	साधारण पोर्टलैंड सीमेंट	आईएस 00269: 89
107	8054568	940601	गुपर इंडिया एग्री प्रोसेस इंडस्ट्रीज, मकुलर रोड, समीप गांधी आश्रम, मुजफ्फर नगर-251001	पांट पर साबने वाला डिइकाबक, टाइप 16 नीटर क्षमता प्लास्टिक टैंक सहित	आईएस 03906: 82 भाग : 01
108	8054669	940601	आर.के.स्टोन बायर प्रा. लि., ए-111 से 115 इंडस्ट्रियल कॉम्प्लेक्स, भिवारी 301019	100 से 150 मिमी. फिटिंग के लिए वास्तव में स्टोन बायर पाइप	आईएस 00651: 92
109	8054770	940601	हुतमा सीमेंट प्रा. लि., डाबला रोड, नरौंध, कोटपुतली, ज़िला अजपुर, गजस्थान	साधारण पोर्टलैंड सीमेंट	आईएस 00269: 89
110	80544871	940601	श्रीराम इंजी. वर्क्स, ब्रो-65 खसरा नं. 38, गांव डाबरी, पो.ओ. पालम, नई दिल्ली	बिजली की इस्तेमाल, 750 वा. 230 वा. 239 वा०	आईएस 00366: 91
111	8054972	940601	त्रिकोण सीमेंट (प्रा०) लि., मेरठ रोड, मखाना (उ.प्र.) 250401	उच्च सामर्थ्य साधारण पोर्टलैंड सीमेंट	आईएस 08112: 89
112	8055063	940601	एनके एग्री प्रा. लि., (25/125 किमी स्टोन, एम.एच. 8, गांव कोकिला, तहसील बेहराण, ज़िला अजमेर	साधारण पोर्टलैंड सीमेंट	आईएस 00269: 89
113	8055168	940601	दुर्गा इंजी. एण्ड फाब्रिकी वर्क्स, 114 बी याइट इंडस्ट्रियल एरिया, मिलाम 490029	सामान्य कार्यों के लिए संरचना इस्पात	आईएस 02062: 92
114	8055267	940601	जय आयरन एण्ड स्टील बी., जय नगर, गांव बवाड़ा, ज़िला राजनंदगांव, मध्य प्रदेश	सामान्य कार्यों के लिए संरचना इस्पात	आईएस 02062: 92
115	8055368	940601	विश्व सीमेंट लिमिटेड, गांव बेजरला, तहसील बिमारा, जोधपुर	साधारण पोर्टलैंड सीमेंट	आईएस 00269: 89

1	2	3	4	5	6
116	8055469	940601	जय प्रायरन एण्ड रटील कं., जयसगर, गांव दवाडा, जिला राजनंद गांव, मध्य प्रदेश ।	कंक्रीट प्रबलन के लिए प्राप्त बर्तित सरिए, एफई 415	घाईएस 01786 : 85
117	8055570	940601	बुर्गा इंजी, एण्ड फाउंड्री वर्क्स, 114 बी लाई इंडस्ट्रियल एरिया, भिलास 490026	कंक्रीट प्रबलन के लिए प्राप्त बर्तित सरिए, एफई 415	घाईएस 01786 : 85
118	8055671	940601	महल सीमेंट (प्रा.) लि. डाबला रोड, पो. जी. संदीव, जयपुर ।	33 ग्रेड साधारण पोर्टलैंड सीमेंट	घाईएस 00269 : 89
119	8055772	940601	प्रकाश पुल्वराइजिंग मिल्स, 1, थोल्ल इंडस्ट्रियल एरिया, अलवर 301001	इंधोमलकान	घाईएस 04323 : 80
120	8055873	940601	डायमंड II, इमलार्ह, जिला-दमोह, मध्य प्रदेश ।	साधारण पोर्टलैंड सीमेंट	घाईएस 00269 : 89
121	8055974	940601	प्रेस्टीज बनस्पति इंडस्ट्रीज, 161-बी, सैक्टर 1, पीथामपुर, जिला धार, मध्य प्रदेश ।	बनस्पति	घाईएस 10633 : 86
122	8056067	940601	भगवती केबल्स उद्योग, असरा नं. 1074, गांव-भालसो, जहंगीरपुरी, दिल्ली 110092	एलास्टोमर रोधी केबल	घाईएस 09968 : 88 भाग : 01
123	8056168	940601	ताम्बी सीमेंट इंडस्ट्रीज, ई-103(ए), बी.के. घाई, एरिया, रोड नं. 7, जयपुर 302013	साधारण पोर्टलैंड सीमेंट	घाईएस 00269 : 89
124	8056269	940601	गोल्डन इंडस्ट्रीज, गोपाला रोड, समीप पटेल पार्क, अशोक नगर, जिला गुना, मध्य प्रदेश 473331	बाहरी फिनिशिंग के लिए संश्लिष्ट इनेमल	घाईएस 02932 : 74
125	8056370	940601	जे.के. इलेक्ट्रिकल, 2-1 स्ट्रीट नं. 4, अमनन्द पर्यट इंडस्ट्रियल एरिया, नई दिल्ली-110005	450 मिमी. के प्रणीदक टाइप एथी संवाजी पंखे	घाईएस 02312 : 67
126	8056471	940601	सुप्रीम इंडस्ट्रीज, एफ-125, रोड नं. 9, मेवाड इंड. एरिया, उदयपुर ।	साधारण पोर्टलैंड सीमेंट	घाईएस 00269 : 89
127	8056572	940601	गुप्ता इंजीनियर्स, 18/15 बंसल नगर, किशनगंज, दिल्ली 110007	भोजन परोसने के पिटेबा एथुमि- नियम के बर्तन	घाईएस 01660 : 82 भाग : 01
128	8056673	940601	पान एगिया इंडस्ट्रियल लि., एफ-62, 63 रिक्को इंडस्ट्रियल एरिया, बेवरोड, जिला अलवर	साधारण पोर्टलैंड सीमेंट	घाईएस 08112 : 89

1	2	3	4	5	6
129.	5056774	94-06-01	प्रतिभा सीमेंट प्रा. लि. गांव रेनगोवांव, तहसील तिलाड़ा, जिला जोधपुर	साधारण पोर्टलैंड सीमेंट	IS 008112 : 81
130.	8056875	94-06-01	मेट्रो सीमेंट (प्रा.) लि., गांव ज्वालिया खतरा, प्लॉट नं. 70, पो. ओ. पिपर सिटी, जोधपुर जिला	साधारण पोर्टलैंड सीमेंट	IS 08112 : 89
131.	8056976	94-06-01	नागपुर इंजी. कं. लि., धानोड रोड, अंजोरा, जिला रावानावागांव	100 मि.मी. व्यास, मेक्स के सांचों के बने लोहे के स्प्रिंग और सॉकेट ठीस पाइप बिना महापकांग के	IS 01729 : 79
132.	9051062	94-05-01	मार्कफीड एग्रो केमिकल्स, 7-8 इंड एस्टेट, जिला रोपड़, मोहाली	बेस्ट नाइपपरमेथीन 10 प्र. और 25 प्र. ई सी	IS 12016 : 87
133.	9051163	94-05-01	ब. मटिडा जिला को. प्राप मिल्स प्राइवेट्स यूनियन लि., मिलक प्लांट, बाबवाली रोड, मटिडा 151051	मलाई युक्त दूध का पाउडर	IS 13334 : 92 भाग : 02
134.	9051264	94-05-01	ग्रोवेल एग्री. प्राइवेट्स प्रा. लि., ई-25, गार्बनमेंट इंड. एरिया, बहादुरगढ़ 124507	बेस्ट केनवालेरेट 20 प्र. ई सी	IS 11997 : 87
135.	9051365	94-05-01	मार्डन इंस्टीसाइड लि., सी-162/ए फोकल प्लांट, धनवारी कला, लुधियाना	बेस्ट ग्रानिफोर्स 30% ई सी	IS 13403 : 92
136.	9051466	94-05-01	ब. संगरूर जिला को. प्राप मिल्स प्राइवेट्स, यूनियन लि., पो. बा. नं. 9, मिलक प्लांट, संगरूर 148001	मलाई युक्त दूध का पाउडर	IS 13334 : 92 भाग : 02
137.	9051567	94-05-01	इंडियन सीमेंट इंड. नहान रोड, जिला सिरमौर, कलाघम्ब 173001	सीमेंट साधारण पोर्टलैंड सीमेंट	IS 00269 : 89
138.	9051668	94-05-01	गायत्री एग्रोकेम एण्ड पेस्टीसाइड्स, गांव बरोटा, पो. ओ. सोहना, जिला गुड़गांव	पेस्ट फेनवालेरेट 20 % ई सी	IS 11997 : 87
139.	9051769	94-05-01	गायत्री एग्रोकेम एण्ड पेस्टीसाइड्स, गांव बरोटा, पो. ओ. सोहना, जिला गुड़गांव	पेस्ट मेनोक्रोटोफोर्स 336 प्र. एस एल	IS 08074 : 90
140.	9051870	94-05-01	कनोजिया केमिकल्स एंड इंडस्ट्रीज लि., रेनूकट, सोनभद्रा	पेस्ट वी एच सी, डब्ल्यू डी पी	IS 00562 : 78
141.	9051971	94-05-01	मार्डन इंस्टीसाइड्स लि., सी-162/ए फेस 5, फोकल प्लांट, लुधियाना 141010	पेस्ट फास्फोमिडारन 85% डब्ल्यू एस सी	IS 06177 : 81
142.	9052064	94-05-01	कनोजिया केमिकल्स एण्ड इंडस्ट्रीज लि., रेनूकट, सोनभद्रा	लिनडान	IS 00882 : 84
143.	9052165	94-05-01	एस. प्रार. प्रायल एंड फैंटस लि., बीपालपुर रोड, बेहालगढ़, जिला सोनीपत 131021	नमक पैक	IS 11352 : 85
144.	9052266	94-05-01	कोमोकेट इंडस्ट्रीज, न्यू पावर हाउस, जिला पटियाला, मुबारकपुर	मैन हातों के डस्कनों और फेंकों के लिए प्रबलित कंक्रीट	IS 12592 : 88 भाग : 01
145.	9052367	94-05-01	ग्लाड बाल्वस इंडस्ट्रीज, ए-193 परबेट नगर, जालंधर	गेट, ग्लोब और चैक बाल्वस	IS 00778 : 84
146.	9052468	94-04-01	सर्वजीत मशीन टूल्स, जी. टी रोड, बटाला	फूट बाल्व रिफ्लेक्शन बाल्वस	IS 10803 : 86
147.	9052569	94-06-01	जैन प्रायस स्टोर, 239 इंडस्ट्रियल एरिया "ए", लुधियाना	नया विद्युत रोधी तेल	IS 00335 : 83

1	2	3	4	5	6
148. 9052670	94-06-01	ब. गुरुदासपुर जिला की. प्रा. मिल्क प्रोडक्ट्स यूनिवर्सल लि., मिल्क प्लांट, गुरुदासपुर 143521	मलाईयुक्त दूध पाउडर	IS 13334: 92 भाग : 02	
149. 9052771	94-06-01	उत्तरांचल के.कोट प्रोडक्ट्स, इंडस्ट्रियल एरिया, मोहट नं. 1, सी-4, जगन्नाथपुर, जिला नैनीताल	प्रबलित के.कोट पाइप	IS 00458: 83	
150. 9052872	94-06-01	नटराज के.के.ल्स (राज.) ए.एम.सी-1794-85 ब्लाक 4, मम्बाला सिटी	पी.बी.सी. हल्की ड्यूटी के केवल	IS 00694: 90	
151. 9052973	94-06-01	तोमहाम के.कोट बनरी, 1 कि.मी. हांती रोड, जिला भिमानो, सोमहम	प्रबलित के.कोट पाइप	IS 00458: 88	
152. 9053066	94-06-01	जगजीत इंडस्ट्रीज लि., पो.ओ. जगजीत नगर, जिला कपूरथला 141802	मलाईयुक्त दूध पाउडर	IS 13334: 92 भाग : 01	
153. 9053167	94-06-01	इंटरनेशनल केमिकल्स इंडस्ट्रीज, गांव मुभीडी, दिल्ली रोड, यमुना नगर	जीवाणुरोधी द्रव	IS 01061: 82	
154. 9053268	94-06-01	प्रोमेक्स इंटरप्राइज प्लाट नं. 18, इंड. एरिया, जिला सोलन, बाड़ी 173705	स्विच	IS 03854: 88	
155. 9053369	94-06-01	भार.बी. जीधमहल इंड. (प्रा.) लि., टोपे सरखनीत गूकनूर रोड, जम्मू	एच.एस.डी. इस्पात छड़ें	IS 01786: 85	
156. 9053470	94-06-01	विशाल स्पत पाइप्स, 129, इंड. एरिया, जिला उना, मेहतपुर	प्रबलित के.कोट पाइप	IS 00538: 88	
157. 9053571	94-06-01	भारती मेटल एण्ड केमिकल इंडस्ट्रीज, प्रभातनगर, गाजी मूला, जालंधर	गेट, ग्लोब और चैक वाल्व	IS 00758: 84	
158. 9053672	94-06-01	बावित केमिकल्स, 575 ईस्ट मोहन नगर, गुरु खिवास मार्ग, भूमनसर	जिक सल्फेट	IS 08249: 76	
159. 9053773	94-06-01	क्वालिटी कार्बिड, सिडको काम्प्लेक्स, मरमुख जम्मू पेपर मिल्स, बारी ब्राह्मण	पी.आई.टी.एस. पाइप	IS 01729: 79	
160. 9053874	94-06-01	गोल्ड स्टार इंडस्ट्रीज, 1082/4 बाबा कालोना ई. एरिया, जालंधर 144004	गेट, ग्लोब और चैक वाल्व	IS 00778: 84	
161. 9053975	94-06-01	बज्राज इंजीनियरिंग वर्क्स, ई-55 इंडस्ट्रियल एरिया, जालंधर सिटी	गेट, ग्लोब और चैक वाल्व	IS 00778: 84	
162. 9054068	94-06-01	धमर इंडस्ट्रीज, 3401 एम.आई.जी. प्लॉट, धरमन स्टेट, फेस 2, बृगरी रोड, लुधियाना	घरेलू गैस स्टोव	IS 04246: 92	
163. 9054169	94-06-01	रिलेक्स होम एप्लाइड्स प्लाट नं. 25, शेड नं. 1, सेक्टर 22, शिव कालानो, फरीदाबाद 121005	घरेलू गैस स्टोव	IS 04246: 92	
164. 9054270	94-06-01	स्वास्तिक् पाइप लि., 41 कि.मी. दिल्ली रोड, अमृतसर, जिला रोहतक 124505	इस्पात पत्ती	IS 09295: 83	
165. 9054371	94-06-01	मेवगान इंडस्ट्रियल कार्पोरेशन, 110, सरताज नगर, मोरबाला रोड, लुधियाना	सिलार्ड मशीन	IS 01610: 89	

1	2	3	4	5	6
166	9044572	94-06-01	ब्राजवर सीमेंट इंडस्ट्रीज लि., गाँव सोनू, साजरा, पो. मुकारकपुर, असीत : सिरावाली, जिला पटियाला, गोडू साजरा	सीमेंट सा.पो.सी.	IS 00269 : 89
167	9054573	94-06-01	गरुदा स्लेस प्रा. लि., गाँव जानीवास, तह. बाथल, जिला रेवाड़ी, 94.8, कि.मी. स्टेशन, विल्ली जयपुर एन एच 8, जीनीवास	सीमेंट, सा.पो.सी.	IS 00269 : 89
168	9054674	94-06-01	ग्रूमोडा मैग्निमिड लि., स्टेसन मटेला, पो.ओ. बिल्लेरी, जिल्ला ग्रूमोडा, मटेला	सीमेंट सा.पो.सी.	IS 00269 : 89
169	9054775	94-06-01	मोनू उद्योग लि., 15/बी/2 भास्त्रा, जिला हमीरपुर	सीमेंट सा.पो.सी.	IS 00269 : 89
170	9054876	94-06-01	मीनम सीमेंट, बी-17, यू पी एम टी डी सी इंड. एरिया, भास्त्रा, जिला हमीरपुर, मूमेरपुर	सीमेंट, सा.पो.सी.	IS 00269 : 89
171	9054977	94-06-01	इंडस्ट्रियल केबल्स (इं) लि., इंडस्ट्रियल एरिया, राजपुरा 140401	नम्र ट्रेडिंग केबल	IS 00691 : 84
172	9055070	94-06-01	अनू प्रोडक्ट्स लि., टिगाँव रोड, फरीदाबाद ओल्ड	बेस्ट अमिलोफोन, 30 % ई सी	IS 13403 : 92
173	9055171	94-06-01	अशोका बूट फैक्टरी, 17/300 मंदर भाट्टी, सागरा	सुरक्षा के लिए बूट जूतों का समझौता	IS 01989 : 86 भाग : 01
174	9055272	94-06-01	सजानी सीमेंट, वेन नं. 2, सिडको इंड. कॉम्प्लेक्स, बारी ब्राह्मण, जम्मू 181133	सीमेंट सा.पो.सी.	IS 00269 : 89
175	9055373	94-06-01	संगरूर बनस्पति मिल लि., युनिट नं. 2 इंड. फोफल प्लांट, मूनम रोड, संगरूर 148001	बनस्पति के लिए सम्पैक	IS 11352 : 85
176	9055474	94-06-01	मुरादाबाद उद्योग उत्पादक सहकारी संघ, लि., बलपतपुर, पो.ओ. उष्का डिमारी, मुरादाबाद	दूध का पाउडर	IS 13334 : 92 भाग : 021
177	9055575	94-06-01	अनू प्रोडक्ट्स लि., टीगाँव रोड, फरीदाबाद ओल्ड	पेस्ट क्लोरोफेरिफॉम 30 % ई सी	IS 08944 : 78
178	9055676	94-06-01	मोतीलाल पेस्टीमाइड्स (इं) प्रा. लि., मनानी, दिल्ली रोड, मथुरा 281003	पेस्ट क्लोरोफेरिफॉम 20 % ई सी	IS 08944 : 78
179	9055777	94-06-01	टी सी एम (इंडिया) फीड बिजीज, गाँव मुराजपुर, पो.ओ. होहटली, तह. इंदौर, जिला कांगड़ा (हि.प्र.) मुराजपुर 176404	खनिज मिश्रण	IS 01664 : 92
180	9055878	94-06-01	गणेश स्टील इंडस्ट्रीज, पो.ओ. नं. 19, जी.टी. रोड, मंडी गोबिन्दगढ़	गर्म वेलिलत इस्पात के थंड	IS 07452 : 90
181	9055979	94-06-01	सुदर्शन स्टील (प्रा.) लि., सिडको इंड एस्टेट, वेन नं. 2, फेस 2, बारी ब्राह्मण	सामान्य कार्यों के लिए संरचना इस्पात	IS 02062 : 92
182	9056072	94-06-01	ग्रॉटिफिशियल लिम्वम मैन्यू. कारपो. ऑफ इंडिया, जी ती रोड, कानपुर 208016	समायोजित कलश्री बैसाखी	IS 05143 : 88

MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION

BUREAU OF INDIAN STANDARDS

New Delhi, the 19th April, 1995.

S.O. 1324.—In pursuance of sub-regulation (5) of the Bureau of Indian Standards Certification—Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars which are given in the following schedule.

THE SCHEDULE

Sl. No.	CM/L—No.	Operative Date	Name & Address of the Party	Articles/Process covered by the licence	IS: No. Part
1	2	3	4	5	6
1.	5026750	940501	The Tata Iron & Steel Co. Ltd., Cement division Jojobera P.O. Rahargora, Jamshedpur, 831016.	Portland Slag Cement	IS 00455 : 8 9
2.	5026851	940601	Orissa Cement Limited, Rajgangpur Sundargarh, Orissa 770017.	43 Grade OPC	IS 081112 : 89
3.	5026952	940601	Cement India Ekoratoli Binoigutia Gaon PO., Dikom Dibrugarh	33 Grade OPC	IS 00269 : 89
4.	5027045	940601	Debraj Industries 19/G, Harish Neogi Road Calcutta 700067.	Plywood Tea-Chest : Part 2 Plywood	IS 00010 : 76 Parts : 02
5.	5027146	940601	ECI Agrochem Pvt. Ltd., VIII : Udairajpur (East) P.O. Udairajpur Distt. 24 Parganas (N)	Chlorpyrifos Emulsifiable concentrate	IS 08944 : 78
6.	5027247	940601	United Bakers Kalapahar Lokhara Road, P.O. Sawkudhi Guwahati 781018.	Biscuits	IS 01011 : 92
7.	5027348	940601	Ashoka Foundry BA, Barauni Industrial Area, P.O. Tilrath Begusarai 351112	Deep Well Hand Pump : Vlom	IS 13056 : 91
8.	5027449	940601	The Tinplate Company of India Ltd., Golmuri Jamshedpur 831003.	Galvanised Steel Sheet (Plain and corrugated Designation FP, Zinc Coating Grade 220, Corrugation Grade B.	IS 30277 : 92
9.	5027550	940601	Sardara Engineering Concerned 68 Srikrishna Vakati Lane Howrah 711101.	Mild Steel Tubes Tubulars and Other wrought steel pipe Fit- ting	IS 31239 : 92 Part : 02
10.	5027651	940601	The deecol (India) Bengalipara Dist : Sambalpur Jharsuguda Orissa 768201.	Disinfectant Fluids, Black	IS 31061 : 82
11.	5027752	940601	Shree Amritnagar Iron & Steel Co. Pvt., Ltd., 99, P.N. Malia Road P.O. Raniganj Dist. Burdwan West Bengal, Raniganj.	High Strength Deformed steel bars and Wired for Concrete Reinforcement.	IS 31786 : 85
12.	5027853	940601	Bengal Rolling Mills Ltd., 2 Ishwar Chandra Chatterjee Lane Sodepur, 24 Parganas (N) Sodepur, West Bengal.	High Strength Deformed Steel Bars and Wires for concrete Reinforcement	IS 31786 : 85
13.	5027954	940601	Bharat Metal and Industrial Works, 2 Neogipara Road, Baranagar, Calcutta 700 036.	Non-Pressure Stoves	IS 22980 : 86

1	2	3	4	5	6
14.	5028047	94-06-01	Konark Jute Limited Dhanmandal. Jaipur Distt. Jaipur.	Indian Resin : 305 G.S.O. M At 16% Contact. Regain	IS 22818 : 71 Part : 02
15.	6045153	94-06-01	Pyramid Packaging Pvt. Ltd., A-151(A), 5th Main, II Stage Peenya Industrial Estate, Bangalore 560058.	Corrugated Fibre Board Boxes for Commercial High Explosives	IS : 0210 - 86 Part : 01
16.	6045254	94-05-01	Sreedevi Pulveriser A-5 Industrial Estate Kurnool Road, Prakasam District Ongole, Andhra Pradesh 523002.	Methyl Parathion 50% E.C.	IS 22865 : 78
17.	6045355	94-06-01	Itachi-HI Strength Hypo Ltd., Manjavadi Village, Harur Taluk Dharmapuri District Tamilnadu-536005	Stable bleaching power	IS 01065 : 89
18.	6045456	94-06-01	Valve Techs (P) Ltd. 1/14 & 15 Industrial Devt Area Gajulamandiyam, near Renigunta Chittoor District Andhra Pradesh-517520	Valve fittings for compressed gas cylinders excluding LPG cylinders	IS 03224 : 79
19.	6045557	94-06-01	Arihant Industries 28/29 Nayandanahalli Mysore Road Bangalore 560039	Submersible pumpsets for three models with head	IS 08034 : 89
20.	6045658	94-06-01	Akash Enterprises 641/1 M.T.H. Road Avadi Madras 600054	Rubber sealing rings for water mains, gas mains & sewers, type 2, natural rubber and synthetic rubber (SBR)	IS 05382 : 85
21.	6045759	94-06-01	Bis-Pice Business Links 453/1 Thamarassery Nellikuth P.O. Manjeri Malappuram Dist. Kerala 676122	GLS lamps, 230V, coiled coil, B-22 caps, 25W & 40W	IS 00418 : 78
22.	6045860	94-06-01	The India Cements Limited Sankari Works Sankari West Salem District Sankari West, Tamilnadu 637303	43 Grade OPC	IS 08112 : 89
23.	6045961	94-06-01	Dohler Flavorade Pvt. Ltd. A-18 SIDCO Industrial Estate Alathur Village Chengalpattu Taluk Chengai Mos District Tamilnadu	Coaltar Food Colour Preparations Powders only	IS 05346 : 75
24.	6046054	94-06-01	Kalpana Engineerings Works 371-A, Ganganur Road Ganapathy Coimbatore 641005	Three phase induction motors, 4 15 W, AC, 50Hz, Class B insulation 4 Pole, duty S-I Rating 2, 2 KW	IS 00325 : 78
25.	7041756	94-04-01	Finolex Cables Ltd 26/27 Bombay Pune Road Pimpri Pune 411018	Welding Cables	IS 09857 : 90
26.	7041857	94-04-01	Triveni Forgings & Ispat Udyog Pvt. Ltd. Plot No. E-20 MIDC Industrial Estate Hingna Road Nagpur-440028	Mild Steel wires, formed wire and Tapers for amounting of cables	IS 03975 : 79
27.	7041958	94-04-01	Khosla Plastics Pvt. Ltd. 45A, Laxmanrao Kirloskar Marg Near Kirloskar Oil Engines Khadki Pune 411003	Switches for domestic and similar purposes	IS 03854 : 88

1	2	3	4	5	6
28.	7042051	94-04-01	Expo Gas Containers Pvt. Ltd Plot No. A-10 MIDC Murbad Thane district 421401	Welded Low carbon steel gas Cylinder exceeding 5 litre capacity for low pressure liquefiable gases : Part 2 cylinders for Liquefiable gases other than LPG	IS 03196 : 92
29.	7042152	94-03-01	Super Industries C-1/289 GIDC Estate Naroda Ahmedabad 382330	Gamma-BHC (Lindane) Emulsifiable concentrates	IS 00632 : 78
30.	7042253	94-04-01	Nagpur Fabrilforge Pvt. Ltd. L-2 MIDC Hinga Road, Nagpur 440016	Welded low carbon steel gas cylinders for Chlorine Gas	IS 07681 : 85
31.	7042354	94-04-01	Krishna Metal Industries N-3, 4 Kasturi Estate Goddev Road Bhayander (E) Thane 401105	Wrought aluminium utensils : PA RT 1 coking table, serving storing and baking utensils	IS 01660 : 82 Part : 01
32.	7042455	94-04-01	Plasto Containers (India) Pvt. Ltd. J-3, MIDC Hingna Road, Nagpur	Rotational Moulded Polyethylene water storage tanks	IS 12701 : 89
33.	7042556	94-04-01	Nagpur Fabrilforge Pvt. Ltd. L-2 MIDC Hinga Road, Nagpur 440016	Welded low carbon steel gas cylinder exceeding 5 litre capacity for low pressure liquefiable gases : Part 2 cylinders for liquefiable gas other than LPG	IS 03196 : 72 Part : 02
34.	7042657	94-04-01	Nagpur Fabrilforge Pvt. Ltd. L-2 MIDC Hinga Road, Nagpur 440016	Welded Low Carbon steel gas cylinders for ammonia (anhydrous) gas	IS 07680 : 85
35.	7042758	94-04-01	United Phosphorus Limited 3101/2, GIDC Estate Ankleshwar 393002	Fenvalerate EC	IS 11997 : 87
36.	7042859	94-04-01	Super Industries C-1/289 GIDC Estate Naroda Ahmedabad-382330	BHC, (HCH) dusting powders	IS 00561 : 78
37.	7042960	94-04-16	Ganga Crop Safe Pvt. Ltd. C-1/70/53 GIDC, Phase-III, Baroda Ahmedabad 382330	Chlorpyrifos emulsifiable concentrate	IS 08944 : 78
38.	7043053	94-04-16	Gestetner (India) Limited Plot No. E-1 to E-4 MIDC, Satpur Nasik 422007	Ink, duplicating, for twin cylinder rotary Machines	IS 01222 : 92
39.	7043154	94-04-01	Venus Agro Industries 4906 Phase IV, GIDC Vatva Ahmedabad 382445	Submersible pumpsets	IS 08034 : 89
40.	7043255	94-04-01	NAP Engineering Company Plot No. 12 & 13 Shiroli (Pulachi) Hatkanangale Kolhapur District 416122	Precast concrete pipes	IS 00458 : 88
41.	7043356	94-04-01	Marshal Pumps Pvt. Ltd. Mavdi Plot Opp : Parsana Foundry Rajkot 360004	Submersible pumpsets	IS 08034 : 89
42.	7043457	94-04-01	Shree Bharat Cement Pipe Co. Plot No. D-2 MIDC Shiroli Tal : Hatkanangale Kolhapur District	Precast Concrete Pipes	IS : 00458 : 88
43.	7043558	94-04-01	Solar Pumps Pvt. Ltd. Sabalpur, Junagadh GIDC II, Plot No. 1209 Junagadh	Submersible Pumpsets	IS : 08034 : 89
44.	7043659	94-04-01	Super Industries C-1/289, GIDC Estate Naroda AJ, edanad-382330	Methyl Farathion Dusting powder	IS 08960 : 78
45.	7043760	94-04-01	Ficom Organics Limited Plot No. 3204 GIDC Industrial Area Ankleshwar Bharuch District-393002	Chloropyrifos, Technical	IS 08963 : 78

1	2	3	4	5	6
46. 7043861	94-04-01	Sharp Batteries & Allied Industries Pvt. Ltd., C-331, TTC Industrial Area, Pawne Village, Thane.	Rotational Moulded Polyethalene water Storage Tanks	IS 12701 : 89	
47. 7043962	94-04-16	Med Techn Rubber and Engineering Industries, Sidhpur Char Rasta, Patan (N. Gujarat)-384265	Surgical Rubber Gloves	IS 04148 : 89	
48. 7044055	94-05-01	Kinnar Kabel, B/90/2, Vatva GIDC Estate, Phase I, Behind Bank of India, Vatva, Ahmedabad	PVC Insulated Cables for voltages upto and inclusive 100 V	IS 00694 : 90	
49. 7044156	94-05-01	Metro Cable Industries, C-1-135, GIDC Estate, Near Neeka Tubes, Vatva, Ahmedabad-382445	PVC Insulated Cables for Voltages upto and inclusive 100V	IS 00694 : 90	
50. 7044257	95-04-01	Unjha Formulations, Khali Char Rasta, State Highway, Kahli Taluka, Siddhpur (N. Gujarat)-384154	Mineral Mixtures for supplementing Cattle Feeds	IS 01664 : 92	
51. 7044358	94-05-01	Panchmahal Cement Co. Ltd., Post Box No. 35, Dahod-393002	43 Grade OPC	IS 08112 : 89	
52. 7044459	94-05-01	Dashmesh Cables, Plot No. 52, Industrial Area, Khemani, OT Section, Ulhasnagar, Thane District-421002	Aluminium Conductors for Overhead Transmission purposes : Part 2 Aluminium Conductors, Galvanized Steel Reinforced	IS 00398 : 76 Part : 02	
53. 7044560	94-05-01	Dashmesh Cables, Plot No. 52 Industrial Area, Khemani, OT Section, Ulhasnagar, Thane District-421002	Aluminium Conductors for Overhead Transmission Purposes : Part 1 Aluminium Stranded Conductors	IS 00398 : 76 Part : 01	
54. 7044661	94-05-01	Bombay Wire Ropes Ltd., Kolshet Road, Thane-400607	Wire Ropes used in Oil Wells and Oil well Drilling	IS 04521 : 77	
55. 7044762	94-05-01	Dashmesh Cables, Plot No. 52 Industrial Area, Khemani, OT Section, Ulhasnagar, Thane District-421002	PVC Insulated winding wired for Submersible Motors	IS 08783 : 78	
56. 7044863	94-05-16	Gharda Chemicals Ltd., B-27/29, MIDC, Bombivli, Thane-421203	Pesticide-Anilophos EC	IS 13403 : 92	
57. 7044964	94-05-01	Thermon Heat Tractors Ltd., Gat No. 566+570/1, Koregaon, Bhima, Taluka, Shirpur, Pune District-412207	Flameproof Enclosures for Electrical Apparatus	IS 02148 : 81	
58. 7045057	94-05-01	Khatau Junker Limited, Plot No. 3000, GIDC Industrial Estate, Post Box No. 40, Ankleshwar 393002	Monocrotophos Technical	IS 08025 : 90	

1	2	3	4	5	6
59.	7045158	94-05-01	Khatau Junker Limited, Plot No. 3000, GIDC Industrial Estate, Post Box No. 40, Ankleshwar, 393002	Dimethoate Technical	IS 03902:75
60.	7045259	94-05-01	Khatau Junker Limited, Plot No. 3000, GIDC Industrial Estate, Post Box No. 40, Ankleshwar-393002	Dichlorvos, Technical	IS 04929:78
61.	7045360	94-06-16	Khandelwar Brothers Limited, Division Khandelwar Tubes, Post : Khandelwar Nagar, Nagpur District 441402	Steel Tubes for Structural Purposes	IS 01161:79
62.	7045461	94-05-16	Khandelwar Brothers Limited, Division Khandelwar Tubes Post : Khandelwar Nagar, Nagpur District, 441402	Mild Steel Tubes, Tubulars and Other Wrought Steel Fittings Part 1 Mild Steel Tubes	IS 01239:90 Part : 01
63.	7045562	94-05-01	Padgilwar Electrical Industries, Plot No. H-28/2, Phase 3 MIDC, Akola-444001	Power Operated Pneumatic Sprayer-Cum-Duster : Knapsack Type	IS 07593:86 Part : 01
64.	7045663	94-05-01	Nakoda Glass Pvt. Ltd., 701, GIDC, Vagjipda, Baroda District	Hypodermic Syringes for General Purposes	IS 03236:92
65.	7045764	94-05-01	Pest Control (India) Pvt. Ltd., A-6-10-11, Mira Indl. Estate, MIDC Area, Mira, Thane-401104	Chlorpyrifos Emulsifiable Conc Nitrates	IS 08944:78
66.	7045865	94-06-01	Vyas Agro Industries, C/1/672, GIDC, Makarpura, Vadodara-390010	Irrigation Equipment-Strainer Type Filters	IS : 12785:89
67.	7045966	94-06-01	Gayatri Pesticides, 81/4 GIDC, Vatva, Ahmedabad-382445	Dichlorvos Emulsifiable Concentrates	IS 05277:78
68.	7046059	94-06-16	Uniflex Cables Limited, 162, GIDC Umargaon, Valsad District, Gujarat-396171		IS 07089:88 Part : 01
69	7046160	94-06-16	Uniflex Cables Limited, 162, GIDC Umargaon, Valsad District, Gujarat-396171	Elastomer-Insulated Cables : Part 1 for working Voltages upto and Including 1100 V	IS 09968:88 Part : 01
	7046261	94-06-01	Uniplast India Ltd., Kadaiya, Post Bimpore, Nani Daman-396210	High Density Polyethylene Pipes for Portable Water Supplies: Sewage and Industrial Effluents	IS 04984:87
71.	7046362	94-06-16	JKBM Limited, 133-134, GIDC Industrial Estate, Ankleshwar, Bharuch-393002	Monocrotophos SL	IS 08074:90
72.	7046463	94-06-01	Uniba Formulations, Khalil Char Rasta, State Highway, Khalil Taluka, Siddhpur (N. Gujarat)-384154		IS 07089:85 Part : 02
73.	7046564	94-06-01	United Phosphorus Limited, 3101/2 GIDC, Ankleshwar-393002	Cypermethrin EC	IS 12016:87

Licences Granted During the Month

74.	7046665	940601	Tatiwar Agro Industries R-31, MIDC Hingna Nagpur 440016	Hand Operated Knapsack Sprayer : Part 1 Piston Type	IS 03906:82 Part:01
75.	7046766	940601	Jayaswals NECO Limited F-8/1 MIDC Industrial Area Hingna Road Nagpur 440016	Centrifugally Cast (Spun) Iron Strigot and Socket Soil Waste and Ventilating Pins. Fittings and Accessories	IS 03989:84
76.	7046867	940601	Asian Cables & Industries Limited Pokhran Road No. 2 Post Box 11 Thane 400601	PVC Insulated Winding Wires for Submersible Motors	IS 08780:78
77.	7046968	940601	Maharashtra Insecticides Ltd. Pesticides Formulation Plant Plot No. C-4 MIDC Area Shivani Akola-444104	BHC. (DCH) Water Dispersible Powder Concentrates	IS 00562:78
78.	7047061	940616	Unjha Formulations Khali Char Rasta State Highway Khali Taluka Siddhpur (N. Gujarat) 384154	Elastomer-Insulated Cables : Part 2 for Working Voltages for 3.3 KV upto and including 11 KV	IS 09968:81 Part:02
79.	7047162	940601	Asian Tubes Limited Plot No. 70 Village Ankholo Taluka Kadi Chatral Mehsana District	Mild Steel Tubes, Tubulars and Other Wrought Steel Fittings : Part 1 Mild Steel Tubes	IS 01239:90 Part:01
80.	7047263	940601	Transelektra Domestic Products Limited Plot No. 38 Indo Industrial Estate No. 4 Navghar Vasai Road Vasai (E) Thane District	Propoxur Emulsifiable Concentrates	IS 09665:81
81.	7047364	940601	Gayatri Pestichem 81/4 GIDC Vatva Ahmedabad 382445	Phosphamidon, WSC	IS 06177:81
82.	7047465	940601	Vikram Stoves & Fabricators A-37, MIDC, Phase I Osmanabad 417501		IS 13152:91 Part:01
83.	7047566	940601	Deora Wires Machines Pvt. Ltd. 8-A, Archana Indl. Estate Opp:Ajit Mills Rakhial Ahmedabad	Aluminium Conductors for Overhead Transmission Purposes : Part 2 Aluminium Conductors, Galvanized Steel Reinforced	IS 00398:76 Part:02
84.	7047667	940601	Modern Products P.B. No. 9075 Keshakala Compound 1-B Patel Road Goreeac (East) Bombay-400067	Switch Socket Outlets (Non-Interlocking Type)	IS 04615:68
85.	7047768	940601	Khanna Industrial Pipes Pvt. Ltd. Plot No. 21 , Village : Kativali, Taluka : Shahpur. Thane District 421604	Mild Steel Tubes, Tubulars and other wrought Steel fittings : Part 1 Mild Steel Tubes.	IS 01239:90 Part :01
86.	7047869	940601	M.M. Chemicals Kalwan Co-operative Indl. Estate Kalwan Taluka : Kalwan, Nasik District 423501	Bleaching Powder, Stable	IS 01065:89
87.	7047970	940601	KIM Chemicals Pvt. Ltd. Plot No. G-13/16 MIDC Talaja, Raigad.	New Insulating Oils	IS 00335:83

1	2	3	4	5	6
88. 7048063	940601	S.U. Components, Kartar Wood Compound L.B.S. Marg, Vikhroli, Bombay-400079	Submersible Pumpsets	IS 08034 : 89	
89. 7048164	940601	Cabletech Industries Sheetal Indl. Estate, No. 92, Ground Floor Unit No. 1 & 4 Village Navshar Vasai Road, (E) Thane-401202	Pvt Insulated Heavy Duty Electric Cables: Part 1 for working Voltages upto and in- cluding 1100 V	IS 01554 : 85 Part: 01	
90. 7048265	940601	Lunkad Cables A-52 Saharai Audogik Vasahat Ajanta Road, Jalgaon-423203	Aluminium conductors for over head transmission purposes, Part 2 Aluminium Conductors Galvanized steel Reinforced.	IS 00398 : 76 Part: 02	
91. 7048366	940601	Rainbow Cable Industries, Kahirpura Near Naroda Nagrik Con. Store Op, Water Tank Naroda Gam, Ahmedabad-123345	PVC Insulated Cables for work- ing Voltages upto and including 1100 V.	IS : 00694 : 82	
92. 7048467	940601	Rainbow Cable Industries, Tahirpura, Near Naroda Nagrik Con - sumer store, Opp. Water Tank Naroda gam, Ahmedabad-123345	Pvt. Insulated (Heavy Duty) electric Cables. Part for working Voltages upto and including 1110 V	IS 01554 : 88 Part: 01	
93. 7048568	940601	Gajambuja Cement Survey No. 39 & 40, Adjacent to Magdalla Shipyard, Magdalla por Road, Village Gavier, Taluk Chorasi, Surat District.	53 Grade OPC	IS : 12269 : 87	
94. 8053263	940401	Shive Industrial Corpn. 428-31 Tikki Walan Ka Rasta Kishanpole Bazar Jaipur-302001.	Paper Adhesive Office Paste TYPE B.	IS : 02257 : 89	
95. 8053364	940501	Atul Pesticides Pvt. Ltd., H.C.-9 Industrial Area Sikandrabad Distt. Bulandshar (U.P.).	Dimethoale	IS : 03903 : 84	
96. 8053465	940501	Insecta Pesticides, 7, 4 K.M. Jansath Road, Muzaffarnagar.	Endosulfan EC C/EI.	IS 04323 : 80	
97. 8053566	940601	Chinar Cement Pvt. Ltd., Vill. Barwa P.O. Parsarampura Tehsil Vaiwalgarh Distt. Jhunjhunu, Rajasthan.	Ordinary Portland Cement.	IS : 00269 : 89	
88. 8053667	940601	Gee Kay Cement Pvt. Ltd., A-336, M.I. Area, Alwar (Rajasthan).	OPC	IS : 00269 : 89	
99. 8053768	940501	C.K. Steel Products Vill. Sujapurkala Distt. Khandwa Madhya Pradesh.	Square tins 1 3.	IS : 10325 : 89	
100. 8053869	940501	Insecta Pesticides 7, K.M. Jansath Road, Muzaffarnagar.	Dischlorvos Ten EC.	IS : 05277 : 78	
101. 8053970	940601	Insecta Pesticides, 7, 4 K.M. Jansath Road, Muzaffarnagar, (U.P.).	Monocrotophos To BL.	IS : 08074 : 90	
102. 8054063	940601	Super Indian Agro Sprayers Industries, Circular Road, Near Gandhi Ashram, Muzaffarnagar-251001	Foot Sprayers	IS : 03652 : 82	

1	2	3	4	5	6
103.	8054164	940601	Insecta Pesticides, 7.4 K.M. Jansath Road, Muzaffarnagar	Methyl Parathion 50% EC	IS : 07865 : 78
104.	8054265	940601	Namd Cements (P) Ltd., Vill. Sarund, Kotputli, Jaipur.	33 Grade OPC	IS : 00269 : 89
105.	8054366	940601	Hira Industries Ltd., Vill. Pandripani, Gidam Road, Jagdalpur (Madhya Pradesh).	53 Grade OPC	IS : 12269 : 87
106.	8054467	940601	Rani Sagar Cement Co. Ltd., Vill. Rani Sagar, Post Pipalas, Tehsil Beawar, Distt. Ajmer.	OPC	IS : 00269 : 89
107.	8054568	940601	Super India Agro Sprayers Industries, Circular Road, Near Gandhi Ashram, Muzaffarnagar-251001	Knapsack Sprayer Piston Type 76 Litres Capacity with Plastic Tank.	IS : 03906 : 82 Part : 01.
108.	8054669	940601	R.K. Stone Ware Pvt. Ltd., A-111 to 115 Industrial Complex Bhiwadi-301019	Salt Glazed Stone ware Pipes and Fittings 100 to 150 MM.	IS 00651 : 92
109.	8054770	940601	Hansa Cements Pvt. Ltd., Dabla Road, Sarund Kotputli, Distt. Jaipur, Rajasthan.	OPC	IS : 00269 : 89
110.	8054871	940601	Shrirani Engg. Works, B-65, Khasra No. 38 Vill. Dabri P.O. Palam New Delhi.	Electric Iron 750 W. 230 V.	IS : 00566 : 91
111.	8054972	940601	Tricone Cements (P) Ltd. Mecrut Road, Mawana (U.P.) 250401	High Strength OPC	IS 08112:80
112.	8055065	940601	ENKAY Agro Pvt. Ltd. 125/125, K.M. Stone, N.H. 8 Vill. Kolila, Tehsil—Behrar Distt.—Alwar	OPC	IS 00269:85
113.	8055166	940601	Durga Engg. & Foundry Works 114-B Light Industrial Area, Bhilai 490026	Steel for general Structural Purposes.	IS 02062:92
114.	8055267	940601	Jay Iron & Steel Co., Jay Nagar, Vill. Dawada, Distt.—Rajnandagaon, Madhya Pradesh.	Steel for General Structural Purposes	IS 02062:92
115.	8055368	940601	Singhal Cement Limited, Vill. Khejarla, Tehsil—Bilara, Jodhpur.	OPC	IS 00269:85
116.	8055469	940601	Jay Iron & Steel Co., Jay Nagar, Vill.—Dewada, Distt.—Rajnandagaon, Madhya Pradesh	High Strength Deformed Steel Bars for Concrete Reinforcement Grade FD 415	IS 01786:85
117.	8055570	940601	Durga Engg. & Foundry Works 114-B, Light Industrial Area, Bhilai 490026	High Strength Deformed Steel Bars for Concrete Reinforcement	IS 01786:85

1	2	3	4	5	6
118. 8055671	940601	Mahal Cements (P) Ltd., Dabla Road, P.O.—Surund, Jaipur	33 Grade OPC		IS 00269:85
119. 8055772	940601	Prakash Pulverizing Mills, 1, Old Industrial Area, Alwar 301001	Eudosulian		IS 04525:85
120. 8055873	940601	Diamond II, Imlai, Distt.—Damoh, Madhya Pradesh	OPC		IS 03269:89
121. 8055974	940601	Prestige Vanaspati Industries, 161-B, Sector I, Pithampur Distt.—Dhar Madhya Pradesh	Vanaspati		IS 0633:86
122. 8056067	940601	Bhagwati Cable Udyog, Khasra No. 1074, Vill.—Bhalswa, Jahangirpuri, Delhi 110092	Elastomer Insulated Cables		IS 09968:88 Part : 01
123. 8056168	940601	Tmabi Cement Industries, E-103(A), VM I Area, Road No. 7, Jaipur 302013	OPC		IS 23269:89
124. 8056269	940601	Golden Industries, Gaushala Road, Near Patel Park, Ashok Nagar, Distt.—Guna, Madhya Pradesh 475551	Synthetic Enamel Exterior Furnishing		IS 02932:74
125. 8056370	940601	J.K. Electricals, 2-1, Street No. 4, Anand Parbat Industrial Area, New Delhi 110005	Propeller Type AC Ventilating Fans 450mm		IS 02312:67
126. 8056471	940601	Supreme Industries, F-125 Road No. 9 Mewar Ind. Area, Udaipur	OPC		IS 00269:89
127. 8056572	940601	Gupta Engineers, 18/15 Basant Nagar, Kishan Ganj, Delhi 110007	Wrought Alums. Utensils		IS 21663:82 Part : 01
128. 8056673	940601	Pan Asia Industrial Ltd., F-62, 63 RIICO Industrial Area, Bewror, Distt.—Alwar	OPC		IS 25165:89
129. 8056774	940601	Pratibha Cement Pvt. Ltd., Vill.—Rensigaon, Tehsil—Bilara, Distt.—Jodhpur	OPC		IS 05112:81
130. 8056875	940601	Metro Cements (P) Ltd., Vill.—Jawasia Khasra, Plot No. 70, P.O.—Pipar City, Distt.—Jodhpur	OPC		IS 05112:89
131. 8056976	940601	Nagpur Engg. Co. Ltd., Thanod Road, Anjora, Distt.—Radnandgaon, Madhya Pradesh	Sand Cast Iron Spigot and Sockets oil Pipes with and without EA R, Max, Dia 100mm		IS 26729:79
132. 9051062	940601	Markfed Agro Chemicals, 7-9, Indl. Estate, Distt.—Ropar, Mohali	Pest-Cypermethin 10% & 25% EC		IS 11016:87

1	2	3	4	5
133. 9051163	940501	The Bhatinda Distt. Coop. Milk Producers Union Ltd., Milk Plant, Dabwali Road, Bhatinda 151001	Skim Milk Powder	IS 15334:92 Part : 02
134. 9051264	940501	Growell Agri. Products Pvt. Ltd., E-25, Govt. Ind., Area, Bahadurgarh 124507	Pest-Fenvalerate 20% EC	IS : 1997 :87
135. 9051365	940501	Modern Insecticides Ltd., C-162/A Focal Point, Dhandari Kalan, Ludhiana	Pest-Anilophos 30% EC	IS : 17403:92
136. 9051466	940501	The Sangrur Distt. Coop. Milk Producers Union Ltd., Post Box No. 9 Milk Plant, Sangrur 146001	Skim Milk Powder	IS 17734:92 Part : 02
137. 9051567	940501	Indian Cement Ind., Nahan Road, Distt. Sirmour Nahan 173001	Cement OPC	IS 01169:89
138. 9051668	940501	Gayatri Agrochem & Pesticides Vill : Barota PO Sohna Distt. Gurgaon	Pest-Fenvalerate 20% EC	IS 11997 : 87
139. 9501769	940501	Gayatri Agrochem & Pesticides Vill : Barota PO Sohna Distt. Gurgaon	Pest-Monocrotophos 3360 SL	IS 08074 : 90
140. 9501870	940501	Kanoria Chemicals & Industries Ltd. Renukoot Sonbhadra	Pest-BHC. WDP	IS 00562 : 78
141. 9051971	940501	Modern Insecticides Ltd. C-162/A Phase V Focal Point Ludhiana 141010	Pest Phosphomidon 85% WSC	IS 06177 : 81
142. 9502064	940501	Kanoria Chemicals & Industries Ltd. P.O. Renukoot Sonbhadra	Lindane	IS 00882 : 84
143. 9502165	940501	S.R. Oils & Fats Ltd. Deepalpur Road Behalgarh Distt. Sonapat 131021	Flexible pouches	IS 1352 : 81
144. 9502266	94050	Comocrete Industries New Power House Distt. Patiala Mubarkapur	Pre. Conc. Manhole Cover & Frame.	IS 12592 : 88 Part : 01
145. 9052367	940501	Glide Valves Industries A-19, Preet Nagar Jalandhar	Gate, Globe & Check Valves	IS 00778 : 84
146. 9052468	94051	Barabjit Machine Tools G.T. Road, Batla	Foot valves, Reflux valves	IS 10805 : 86
147. 9052569	940601	Jain Oil Store 239, Industrial area 'A' Ludhiana	New Insulation oils	IS 00335 : 85
148. 9052670	940601	The Gurdaspur Distt. Coop. Milk Producers Union Ltd. Milk Plant Gurdaspur 14352	Skimmed Milk Powder	IS 17334 : 92 Part : 02

1	2	3	4	5	6
149.	9052771	940601	Uttaranchal Concrete Products Industrial area site-1, C-4 Jagannathpur Distt. Nainital Bazpur	Precast concrete pipe	IS 00458 : 88
150.	9052872	940601	Natraj Cables (Regd.) AMC-1794-85 Block IV Ambala City	PVC Light Duty Cables	IS 00894 : 90
151.	9052973	940601	Tosham Concrete Works 1, Km. Hanshi Road, Distt. Bhiwani Tosham	Precast concrete pipes	IS 00458 : 88
152.	9053066	940601	Jagatjit Industries Ltd. P.O. Jagatjit Nagar Distt. Kapurthala 144802	Skim Milk Powder	IS 17734 : 92 Part : 01
153.	9053167	940601	International Chemical Industries Vill : Mumidi Delhi Road, Yamuna Nagar	Disinfectant fluid	IS 01261 : 82
154.	9053268	940601	Papanna Enterprises Plot No. 18 Indl. area Distt. Solan Buddi 173205	Switches	IS 00854 : 88
155.	9053369	940601	R.B. Jodhmal Inds. (P) Ltd. Tope Sher Kahanian Akhnoor Road Jammu	HSD Steel Bars	IS 00786 : 85
156.	9053470	940601	Vishal Span Pipes 129, Indl. Area Distt. Una Mehatpur	Precast concrete pipes	IS 00558 : 88
157.	9053571	940601	Aarti, Metal & Chemical Industries Parbhat Nagar Gaji Gulla Jalandhar	Gate, Globe & Check valves	IS 00778 : 84
158.	9053672	940601	Shakti Chemicals 575 East Mohan Nagar Guru Ravi Dass Marg Amritsar	Zinc Sulphate	IS 08249 : 76
159.	9053773	940601	Quality Castings SIDCO Complex, Opp. Jammu Paper Mills Bari Brahmana	CI Soil pipes	IS 01729 : 79
160.	9053874	940601	Gold Star Industries 1082/4 DADA Colony Industrial area, Jalandhar 144004	Gate, Globe & Check Valves	IS 00778 : 84
161.	9053975	940601	Bajaj Engineering Works E-55 Industrial Area Jalandhar City	Gate, Globe & Check Valves	IS 00778 : 84
162.	9054068	940601	Amar Industries 3401 MIG Flat Urban Estate Phase II, Dugri Road, Ludhiana	Domestic Gas Stoves	IS 04246 : 92
163.	9054169	940601	Reliable Home Appliances Plot No. 25, SHED 1 Sector 22 Shiv Colony Faridabad 121005	Domestic Gas Stoves	IS 04246 : 92

1	2	3	4	5	6
164.	9054270	940601	Swastick Pipes Ltd. 41 RM, Delhi Rohtak Road, Asavdah Distt. Rohtak 124505	Steel Tubes	IS 09295 : 83
165.	9054371	940601	Sewman Industrial Corporation 440-A, Sarlag Nagar Noorwala Road, Ludhiana	Sewing Machine	IS 01610 : 89
166.	9054472	940601	Bajwa Cement Industries Ltd. Vill : Saudo Majra PO Mubarkpur Near Dera Bassi Saudo Majra Distt. Patiala	Cement-OPC	IS 00269 : 89
167.	9054573	940601	Garuda Clays Pvt. Ltd. Vill : Jaliwas. Teh : Bawal, Distt. Rewari 94.8 Km Stone on Delhi Jaipur NH-8 Jaliwas	Cement OPC	IS 00269 : 89
168.	9054674	940601	Almora Magnesite Ltd. Station Matela PO Billeri Distt. Almora Matela	Cement OPC	IS 00269 : 89
169.	9054775	904601	Sonu Udyog Ltd. 16/B/2 Bharua Distt. Hamirpur Sl. Eroir	Cement OPC	IS 00269 : 89
170.	9054876	940601	Gautam Cement B-17, UPSTDC Indl. Area- Bharua Distt. Hamirpur Sumerpur	Cement OPC	IS 00269 : 89
171.	9054977	940601	Industrial Cables (I) Ltd. Industrial area Rajpura 140401	Flex, Trailing Cables	IS 00691 : 84
172.	9055070	940601	Anu Products Ltd. Tigraon Road Faridabad Old.	Pest-anilophos 30% EC	IS 13403 : 92
173.	9055171	940601	Athoka Boot Factory 17/300 Fadar Bhatti Agra	Leather Safety Boot & Shoes	IS 01989 : 88 Part : 01
174.	9055272	940601	Bhavani Cements Lane No. 2 SIECO Indl. Complex Basi Brahanna Jammu 181133	Cement OPC	IS 00269 : 89
175.	9055373	940601	Sangrur Vanaspati Mills Ltd. Unit No. II, Industrial Focal Point Sunam Road Sangrur 148001	Flex. packs for Vanaspati	IS 11352 : 85
176.	9055474	940601	Moradabad Dugdh Utpadak Sehkari Sangh Ltd. Dalpatpur PO Akka Disari Moradabad	Skim Milk Powder	IS 13334 : 92 Part : 02
177.	9055575	940601	Anu Products Ltd. Tigraon Road Faridabad Old	Pest Chlorpyiphos 20% EC	IS 08944 : 78

1	2	3	4	5
178. 9055676	940601	Motilal Pesticides (I) Pvt. Ltd. Masani Delhi Road Mathura 281003	Pest Chlorpyrifos 20% EC	IS 08944 : 78
179. 9055777	940601	TCM Steels (India) Feed Division Vill Surajpur PO Hochtli Teh. Indora Distt. Kangra (HP)	Mineral Mixtures	IS 01664 : 92
180. 9055878	940601	Ganesh Steel Industries P.B. No. 19 GT Road Mandi Gobindgarh	Hot rolled steel section	IS 07452 : 90
181. 9055979	940601	Sudershan Steel (P) Ltd. SIDCO Indl estate Lane No. 2 Phase 2 Bari Brahamna	Steel for gen. stry. purposes	IS 02062 : 92
182. 9056072	940601	Artificial Limbs Mfg. Corpn. of India G.T. Road Kanpur 208016	Adjustable axillary crutches	IS 05143 : 88

[No. CMD/13 : 11]

S.K. KARMAKAR, Addl. Director General

नागरिक पूति, उपभोक्ता मामले और

सार्वजनिक वितरण मंत्रालय

नई दिल्ली, 26 अप्रैल, 1995

का. आ. 1325:—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अनुसरण में, नागरिक पूति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय के नियंत्रणाधीन निम्नलिखित कार्यालयों, जिनके 80 से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:—

लखनऊ शाखा कार्यालय,
भारतीय मानक ब्यूरो,
सेठ भवन, बूखरी मंजिल,
खिला सिनेमा के पीछे,
नवल किशोर रोड,
लखनऊ 226001।

जयपुर शाखा कार्यालय,
भारतीय मानक ब्यूरो,
घार-14, युधिष्ठिर मार्ग,
सी-स्कीम, जयपुर 302005।

[सं. ई-11012/8/95--हिंदी]

राम तिलक पाण्डेय, निदेशक

MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS & PUBLIC DISTRIBUTION

New Delhi, the 26th April, 1995

S.O. 1325.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for official purposes of the Union) Rules, 1976, The Central Government hereby notifies the following offices under the control of Ministry of Civil Supplies, Consumer Affairs and Public Distribution, where more than 80 per cent of the staff have acquired working knowledge of Hindi:—

Lucknow Branch Office,
Bureau of Indian Standards,
Seth Bhawan, 11th Floor,
Behind Leela Ground,
Nawal Kishore Road,
Lucknow-226001.

Jaipur Branch Office,
Bureau of Indian Standards,
R-14, Yudhisthir Marg,
C-Scheme, Jaipur-302005.

[No. E-11012/8/95-Hindi]
R. T. PANDEY, Director

नई दिल्ली, 10 अप्रैल, 1995

का. आ. 1326—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के

MINISTRY OF COAL

New Delhi, the 24th April, 1995

नियम 10 के उप नियम (4) के अनुसरण में, नागरिक पूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंत्रालय के नियंत्रणाधीन निम्नलिखित कार्यालयों, जिसके 80% से अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है।

गाजियाबाद शाखा कार्यालय,
भारतीय मानक ब्यूरो, सावित्री,
कम्प्लेक्स, 116, जी. टी. रोड,
गाजियाबाद - 201001

राजकोट निरीक्षण कार्यालय,
भारतीय मानक ब्यूरो, भूपेन्द्र
विला, डा. याज्ञनिक रोड
राजकोट - 360001

[सं. ई - 11012 / 8/95 हिन्दी]
राम तिलक पाण्डेय निदेशक

New Delhi, the 10th April, 1995

S.O. 1326.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices under the control of Ministry of Civil Supplies, Consumer Affairs and Public Distribution, where more than 80 per cent of the staff have acquired working knowledge of Hindi :—

Ghaziabad Branch Office,
Bureau of Indian Standards,
Savitri Complex, 116 G.T. Road,
Ghaziabad-201001.

Rajkot Inspection Office,
Bureau of Indian Standards,
Bhupendra Vila, Dr. Yagyanik Road,
Rajkot-360001.

[No. E-11012/8/85-Hindi]
R. T. PAN7Y, Director

कोयला मंत्रालय

नई दिल्ली, 24 अप्रैल, 1995

का. आ. 1327.—केन्द्रीय सरकार, कोयला मंत्रालय के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों को, जिनके 80% कर्मचारी-बुद्ध ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, राजमण्डा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियमावली, 1976 के नियम 10 के उप नियम (4) के अन्तर्गत अधिसूचित करती है:—

- (1) कुमुन्डा क्षेत्रीय कार्यालय,
भारत कोकिंग कोल लि.,
धनबाद (बिहार)
- (2) भोपाल स्थित क्षेत्रीय कार्यालय,
साउथ ईस्टर्न कोलफील्ड्स लि.;
मध्य प्रदेश

[का. सं. ई-11016/2/94-हिन्दी]
कमल कान्त मिश्रा, संयुक्त सचिव

S.O. 1327.—The Central Government hereby notifies the following offices, under the Administrative control of the Ministry of Coal, the 80 per cent staff whereof have acquired working knowledge of Hindi, under sub-rule (4) of rule 10 of the Official Language (Use for Official Purposes of the Union) Rules, 1976 :—

- (1) Kusunda Area,
Bharat Coking Coal Ltd.,
Dhanbad (Bihar).
- (2) South Eastern Coalfields Ltd.,
Regional Office, hopal (M.P.).

[F. No. E-11016/2/94-Hindi]
KAMAL KANT MISHRA, Jt. Secy.

ज्ञान मंत्रालय

नई दिल्ली, 1 मई, 1995

का. आ. 1328.—केन्द्रीय सरकार, सरकारी स्थान (प्रशासिक-कृत अधिभोगियों की बेदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और ज्ञान मंत्रालय की अधिसूचना सं. का. आ. 1584, तारीख 5 जून, 1989 को उन बातों के सिवाय अधिभोग करते हुए जिन्हें ऐसे अधिभोग के पूर्व किया गया है या करने का लोप किया गया है, नीचे दी गयी सारणी के स्तंभ (1) में उल्लिखित अधिकारी को, जो सरकार के राजपत्रित अधिकारी के रैंक का अधिकारी है, उक्त अधिनियम के प्रयोजनों के लिए संपदा अधिकारी नियुक्त करती है तथा यह और निदेश देती है कि उक्त अधिकारी, जो उक्त सारणी के स्तंभ (2) में की तरफ़्तानी प्रविष्टि में विनिर्दिष्ट सरकारी स्थानों की बाबत, उक्त अधिनियम द्वारा या उसके अधीन संपदा अधिकारी को प्रदत्त शक्तियों का प्रयोग और उस पर अधिरोपित कर्तव्यों का पालन, अपनी-अपनी अधिकारिता की सीमाओं के भीतर करेंगे, अर्थात्:—

सारणी

अधिकारी का पदनाम	सरकारी स्थानों के प्रयोग और अधिकारिता की स्थानीय सीमाएं
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(2)

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| 1. सहायक प्रबन्धक/उप प्रबन्धक प्रबन्धक/बिगुन प्रबन्धक/मुख्य प्रबन्धक,
नेशनल एल्युमिनियम कंपनी लि.,
8 वां तल, धार्म. सी. सी. ओ.
भुवनेश्वर, उड़ीसा। | (क) नगरी: प्लाट सं. एन-1/4,
क्षेत्र ए सी 34, 14 रेखांक
सं. 987 ग्राम—चन्द्रशेखरपुर,
तहसील भुवनेश्वर पुलिस स्टेशन,
साहिब नगर, जिला—खुरदा।
(ख) प्रशासन कार्यालय भवन, प्लाट
सं. सीबी/1 क्षेत्र 5 एकड़,
रेखांक सं. 896,
ग्राम—नयापल्ली,
तहसील—भुवनेश्वर,
पुलिस स्टेशन साहिब नगर,
जिला : खुरदा। |
|--|---|

(1)	(2)	1	2
2. सहायक प्रबन्धक/उपप्रबन्धक/ प्रबन्धक/वरिष्ठ प्रबन्धक/मुख्य प्रबन्धक (का. और प्रशा.) नेशनल एल्युमिनियम कंपनी लि. सिस्टलटर और पावर कन्फ्लिक्ट, अंगुल, जड़ीसा	जिला धेनकजल, उड़ीसा में नेशनल एल्युमिनियम कंपनी लिमिटेड के स्वामित्वाधीन या पट्टे पर लिये गये स्थान। नाल्को नगरी उत्तर: तालचौर-सम्बलपुर रेल लाईन दक्षिण: एन. एच. - 42 पूर्व: कुलद, गिरंग और बलरामप्रसाद (केंबुथी पासवाही) ग्राम बस्ती पश्चिम: कंडासर और बलराम प्रसाद (सुनियामंडा) ग्राम बस्ती भस्म ताल (पोंड) उत्तर: नन्दिरा नदी और कुकुबांग ग्राम बस्ती दक्षिण: तालचौर सम्बलपुर रेल लाईन पूर्व: बलराम प्रसाद ग्राम और एपल सी घाई मार्ग पश्चिम: कुकुबोल ग्राम बस्ती सिमल्टर ताल (पोंड) उत्तर: एन. एच. - 42 दक्षिण: तुलसीपाल, कुनगुला और गोपीनाथपुर ग्राम बस्ती पश्चिम: विरजंग सिन्हाई नहर बुद्धाशक से सिस्टलटर प्लॉट तक रेल जिक अंगुल तहसील के ग्राम बुद्धाशक, धपारीपुर, गोटाप्रमारा, बोध, तुलसीपाल, कुलाब और धेनकजल, सबर तहसील के ग्राम मंगलपुर में प्रजित भूमि। पूर्व: मंगलापुर ग्राम बस्ती पश्चिम: सिमल्टर प्लॉट स्टार जल अयन चैनल कुलाब से चोरीबिहा तक ध्ययन चैनल के लिये अंगुल तहसील के ग्राम कुलाब बोध, चोरीबिहा और मोहाना में प्रजित भूमि। भस्म पाईप मार्ग (कारिडार) ग्राम बलरामप्रसाद में प्रजित भूमि उत्तर: बलरामप्रसाद ग्राम बस्ती दक्षिण: बलरामप्रसाद (धर्मतपुर) बस्ती पूर्व: बड़ बिद्युत् संयंत्र पश्चिम: भस्म ताल (पोंड) बड़ बिद्युत् संयंत्र उत्तर: गोटाप्रमारा और बलरामप्रसाद (मानुजहारसाही), धर्मतपुर और बासलासाही ग्राम बस्ती दक्षिण: एन. एच. - 42 पूर्व: बनारपाल साप्ताहिक बाजार दक्षिण: कुलाब और गिरंग ग्राम बस्ती। 220 किलोवाट उच्च वोल्टता लाईन ग्राम कुलाब और गिरंग में प्रजित भूमि।	पूर्व: बड़ बिद्युत् संयंत्र पश्चिम: नाल्को नगरी बुलमाथी नदी से बड़ बिद्युत् संयंत्र तक जल प्रवाय पाईप लाईन अंगुल तहसील के ग्राम गोटाप्रमारा और तालचौर तहसील के भारियामबा, नौलकामुंथी, योगन बोखुआ और लिमरकाटा में प्रजित भूमि। उत्तर: बड़ ब्रह्माणी नदी दक्षिण: बड़ बिद्युत् संयंत्र ग्राम भारियामबा में फंम फर की प्रबस्थिति उत्तर: ब्रह्माणी नदी दक्षिण: भारियामबा ग्राम बस्ती पूर्व: नन्दिरा नदी पश्चिम: दयामाली ग्राम बस्ती बड़ रेल पट्टा अंगुल तहसील के ग्राम गोटाप्रमारा बलरामप्रसाद, टनटोलीई, टेनटाई कामाना, पित्तमा, एकपहरिम, कुकुबांग और तालचौर तहसील के ग्राम गोचारा, बुवा जोरवा, करना पुर, बोसपुर और महेन्द्रपुर में प्रजित भूमि।	[सं. 11(86) 94-मैटल-1] सतीश चन्द्र, निदेशक MINISTRY OF MINES. New Delhi, the 1st May, 1995. S. O. 1328—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), and in the supersession of the notification No. S.O. 1584, dated the 5th June, 1989 of the Ministry of Mines, except as respects things done or omitted to be done before such supersession, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being an officer equivalent to the rank of gazetted officer of Government, to be estate officer for the purposes of the said act, and further directs that the said officer shall exercise the powers conferred and perform the duties imposed, on the estate officer by or under the said Act, within the limits of their respective jurisdiction, in respect of the public premises specified in the corresponding entry in column (2) of the said Table namely:— TABLE Designation of the Officer Categories of public premises and local limits of jurisdiction (1) (2) 1. Assistant Manager/ Deputy Manager/ Manager Senior Manager/ Chief Manager National Aluminium (a) Township: Plot No. N-1/4 area AC 34J4 drawing No. 987 Village: Chandrasekharapur Tahsil: Bhubaneswar, P.S. Sakid Nagar, Dist. Khurda.

1	2	1	2
Co. Ltd. 8th Floor, IDCO TowerA, Janpath Bhubaneswar, Orissa	(b) Admb. office Building: Plot No. CB/1, area 5 acres, drawing No. 896, Vill: Nayapalli, Tahsil: Bhubaneswar P.S. Sahid Nagar, Dist. Khurda.		STORM WATER DISPOSAL CHANNEL
2. Assistant Manager/ Deputy Manager/ Manager Senior Manager/ Chief Manager (P&A) National Aluminium Co. Ltd. Smelter & Power Complex Angul, Orissa.	Premises owned by or leased to National Aluminium Company Limited in the District of Dhenkanal, Orissa.		Acquired land in village Kulad Bonda, Chauridiha and Nuahata of Angul Tahasil for disposal channel from Kulad to Chauridiha.
	NALCO TOWNSHIP		ASII PIPE CORRIDOR
	North Talcher-Sambalpur Rail Line	North	Acquired land in village Balaramprasad :
	South N.N. 42.	South	Balaramprasad village Basti.
	East Kulad, Girab and Balaramprasad (Kendudhipasahi) Village Basti.	East	Balaramprasad (Amantapur) Basti
	West Kandasar and Balaramprasad (Sumamunda) Village Basti.	West	Captive Power Plant Ash Pond.
	ASHPOND		CAPTIVE POWER PLANT
	North Nandira river and Kukudan village Basti.	North	Gotamara and Balaramprasad (Bhahijharasahi), Amantapur and Basalasahi village Basti.
	South Talcher-Sambalpur rail line	South	N.H. 42
	East Balaramprasad village and FCI road	East	Banarpal weekly market.
	West Kurudol village Basti.	West	Kulad and Girang village Basti.
	SMELTER POND		220 KV HIGH TENSION LINE
	North N.H. 42		Acquired land in village Kulad and Girang.
	South Tulasipal, Kangula and Gopinathpur village Basti.	East	Captive Power Plant
	West Derjan Irrigation Canal.	West	NALCO Township.
	RAIL LINK FROM BUDHAPANK TO SMELTER PLANT		WATER SUPPLY PIPE LINE FROM RIVER BRAHMANI TO CAPTIVE POWER PLANT
	Acquired land in village Budhapank, Apartipur, Gotamara, Bonda, Tulasipal, Kulad of Angul Tahasil and Village Mangalapur of Dhenkanal Sadar Tahasil.		Acquired land in village Gotamara of Angul Tahasil and Jhariamba, Tojokalandi, Nuagan, Kholua and Lingarakata of Talcher Tahasil.
	East Mangalapur village Basti.	North	River Bramhani
	West Smelter Plant.	South	Captive Power Plant.
			LOCATION OF PUMP HOUSE IN VILLAGE JHARIAMBA
		North	Bramhani river
		South	Jhariamba village Basti.
		East	Nandira river
		West	Dasanaliv illage Basti.

	1	2	3	4	5
CAPTIVE RAIL SYSTEM		43	0	06	24
Acquired land in		44	0	03	25
village Gotamara		13	0	07	28
Balaramprasad,		11	0	06	76
Tentoloi, Tentoi		12	0	05	20
Khamana, Pingua,		8	0	32	63
Ekagharia, Kukudeng		6	0	02	86
of Angul Tahasil		5	0	08	84
and Village Gobara,		3	0	10	92
Bada Jorada,		2	0	01	43
Karnapur, Baulapur					
and Mahendrapur					
of Talcher Tahasil.		कार्ट ट्रैक	0	24	05

[No.11(86)94—Met.I]

SATISH CHANDER, Director

[सं. ओ-12016/1/93-ओएनजीसी-IV]

एम. मार्टिन, डेस्क अधिकारी

MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 1st May, 1995

S.O. 1329.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 374 dated 29-1-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And whereas the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM JAMBUSAR(P) TO GNAQ GGS

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec-tare	Are	Centiare
Vanceta	85/A/B	0	28	86
	37	0	20	48
	36	0	00	58
	40	0	08	45
	42	0	06	76
	43	0	06	24
	44	0	03	25
	13	0	07	28
	11	0	06	76
	12	0	50	20
	8	0	32	63
	6	0	02	86
	5	0	08	84
	3	0	10	92
	2	0	01	43
	Cart track	0	24	05

[No.O-12016/1/93-ONG-D IV]

M. MARTIN, Desk Officer

पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 1 मई, 1995

का.मा. 1339.—यतः पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना का.मा. 374 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाईपलाईनों की बिछाने के लिये अर्जित करने का अपना प्राणय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों को उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (2) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाईन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कारपोरेशन लिमिटेड में, सभी भाषाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जंबूसर (पी) से जी एन ए ग्जी जी एन एस तक पाईपलाईन बिछाने के लिये

राज्य : गुजरात जिला : भरुच तालुका : जंबूसर

गांव	ब्लॉक नंबर	ए	आर	सेन्टी
1	2	3	4	5
पसैटा	85 ए बी	0	28	86
	37	0	20	48
	36	0	00	58
	40	0	08	45
	42	0	06	76

नई दिल्ली, 1 मई, 1995

New Delhi, the 1st May, 1995

का.भा.1330.—यतः पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.भा.सं.375 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाईपलाइनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सशम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाईपलाइन बिछाने के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय ऑयल एण्ड नेचुरल गैस कॉर्पोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जीएनआईसी से ईपीएस तक पाईपलाइन बिछाने के लिये

राज्य : गुजरात जिला : भरुच तालुका : आमोद

गांव	ब्लॉक नं.	हे	घार	सेन्टी
मंगरोल	839	0	15	60
	847	0	00	40
	837	0	05	40
	848	0	16	12
	849	0	16	07
	851	0	15	08
	852	0	07	80
	729	0	01	54
	728	0	09	36
	725	0	06	24
	724	0	07	28
	719	0	01	56
	714	0	20	80
	684	0	06	76
	682	0	15	08
	685	0	00	30
	681	0	02	60
	656	0	14	04
	655	0	10	14
	654	0	07	80

[सं. ओ-12016/2/93-ओएनजी जी-IV]

एम. मार्टिन, डेस्क अधिकारी

S.O. 1330.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 375 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNIB TO EPS

State : Gujarat District : Bharuch Taluka : Amod

Village	Block No.	Hectare	Acre	Centiare
Mangrol	839	0	15	60
	847	0	00	40
	837	0	05	40
	848	0	16	12
	849	0	16	08
	851	0	15	08
	852	0	07	80
	729	0	01	54
	728	0	09	36
	725	0	06	24
	724	0	07	28
	719	0	01	56
	714	0	20	80
	684	0	06	76
	682	0	15	08
	685	0	00	30
	681	0	02	60
	656	0	14	04
	655	0	10	14
	654	0	07	80

[No. O-12016/2/93-ONGD-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का.भा.1331.—यतः पेट्रोलियम और खनिज पाईपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.भा. 376 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाईपलाइनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (i) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिर्णय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय प्रायव एण्ड नेचुरल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन को इस तारीख को निहित होगा।

अनुसूची

डोजे एण्ड से दहेंज जीजीएस तक पाइपलाइन बिछाने के लिये
राज्य : गुजरात जिला : भरुच तालुका : वाग्रा

गांव	ब्लॉक नं.	हे	घार	सेन्टी
1	2	3	4	5
राहियद	547	0	03	12
	548	0	03	20
	546	0	11	44
	545	0	07	28
	552	0	05	20
	553	0	04	16
	556	0	24	96
	555	0	05	20
कार्ट ट्रैक		0	02	08
	529	0	10	40
	528	0	04	16
	363	0	06	24
	521	0	15	60
	518	0	00	40
	519	0	02	08
	517	0	16	56
	368	0	10	40
	374	0	15	60
	376	0	12	48
	377	0	07	28
	378	0	16	64
	224	0	04	16
	225	0	10	28
	223	0	12	48
	179	0	07	28
	181	0	11	44
	182	0	06	24
	183	0	07	28
	184	0	07	80
	191	0	35	00
	192	0	16	64
	195	0	27	04
	200	0	08	32
	155	0	09	36
	201	0	08	32

New Delhi, the 1st May, 1995

S.O. 1331.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 376 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM DJAN TO DAHEJ GGS

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hectare	Ac	Centiare
1	2	3	4	5
Rahiyad	547	0	03	12
	548	0	03	20
	546	0	11	44
	545	0	07	28
	552	0	05	20
	553	0	04	16
	556	0	24	96
	555	0	05	20
Cart track		0	02	08
	529	0	10	40
	528	0	04	16
	363	0	06	24
	521	0	15	60
	518	0	00	40
	519	0	02	08
	517	0	16	56
	368	0	10	40
	374	0	15	60
	376	0	12	48
	377	0	07	28
	378	0	16	64
	224	0	04	16
	225	0	10	28
	223	0	12	48
	179	0	07	28
	181	0	11	44
	182	0	06	24
	183	0	07	28
	184	0	07	80
	191	0	35	00
	192	0	16	64
	195	0	27	04
	200	0	08	32
	155	0	09	36
	201	0	08	32

[सं. ओ-12016/3/93-ओ एम जी-डी-4]

एम. मार्टिन, डेस्क ऑफिसर

[No: O-12016/3/93-ONG-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का.प्रा. 1332.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.प्रा. 377 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय आयल एण्ड नेचुरल गैस कार्पोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

टो. सिन्धु से यी पी एफ गंधार तक पाइपलाइन बिछाने के लिये

राज्य : गुजरात जिला : मरुच तालुका : वागरा

गांव	ब्लॉक नं.	हे	आर	सेण्टी
मुलेर	6/पी	0	35	56
	5	0	23	04
	1	0	08	00
	88	0	21	60
	87	0	39	86
	78	0	44	80
	94	0	17	60
	77	0	52	80

[सं. ओ-12016/4/93-ओ एन जी-डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1332.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 377 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM T. POINT TO CPF GANDHAR

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hec-tare	Are	Centiare
Muller	6/P	0	35	56
	5	0	23	04
	1	0	08	00
	88	0	21	60
	87	0	39	86
	78	0	44	80
	94	0	17	60
	77	0	52	80

[No. O-12016/4/93-ONG-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का.प्रा. 1333.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का.प्रा. सं. 378 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय आयल एण्ड नेचुरल गैस कार्पोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी ११२४ से जी जी एस-३ तक पाइपलाईन बिछाने के लिये

राज्य : गुजरात जिला : भरुच तालुका : वागदा

गाँव	ब्लॉक नं.	हे	घर	सेन्टी
गंधार	506	0	05	46
	508	0	15	08
	कार्ट ट्रैक	0	00	52
	509	0	21	84
	488	0	04	94
	515/ए/बी	0	05	72
	487	0	01	95
	486	0	10	12
	485	0	17	16
	484	0	22	52
	482	0	01	94
	483	0	10	40
	कार्ट ट्रैक	0	01	30
	471	0	12	35
	472	0	00	52
	470	0	20	80
	405	0	08	85
	407	0	15	86
	406	0	08	19
	411	0	11	44
	412	0	29	25

[सं. ओ-12016/5/93-ओ एन जीडी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1333.—Whereas by notification of the Government of India in the Ministry of petroleum & Natural Gas S.O. No. 378 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1961 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whether the Central Government has, after considering the said report decided to acquire the right of user in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to the notification for the purpose of laying pipeline.

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNAH TO GGS III

State : Gujarat District : Bharuch

Village	Block No.	Hec-tare	A.c	C.c-tia
Gandhar	506	0	05	46
	508	0	15	08
	Cart track	0	00	52
	509	0	21	84
	488	0	04	94
	515/A/B	0	05	72
	487	0	01	95
	486	0	10	12
	485	0	17	16
	484	0	22	52
	482	0	01	94
	483	0	10	40
	Cart track	0	01	30
	471	0	12	35
	472	0	00	52
	470	0	20	80
	405	0	08	85
	407	0	15	86
	406	0	08	19
	411	0	11	44
	412	0	29	25

[No. O-12016/5/93-ONG-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. प्रा. — यतः पेट्रोलियम और खनिज पाइपलाईन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के उर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. प्रा. 379 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाईनों को बिछाने के लिये अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाईन बिछाने के लिये एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजह से आयल एण्ड नेचुरल गैस कॉर्पोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

SCHEDULE

डीजीएन से दहेज जीजीएस तक पाइपलाइन बिछाने के लिए

PIPELINE FROM DJAN TO DAHEJ GGS

राज्य : गुजरात	जिला : भरुच	तालुका : वागरा			
गांव	ब्लॉक नं.	हे	अर	सेन्टी	
कोलियाद	112	0	02	08	
	111	0	24	96	
	113	0	28	08	
	114	0	22	88	
	116/पी	0	01	42	
	108/बी	0	31	20	
	136/बी	0	21	84	
	197	0	01	60	
	196	0	11	44	
	201	0	04	16	
	195	0	24	96	
	185	0	15	60	
	193	0	04	16	
	186	0	18	72	
	183/ए	0	19	76	
	183/बी	0	18	72	

State : Gujarat	District : Bharuch	Taluka : Vagra			
Village	Block No.	Hec-tare	Are	Centiare	
Koliyad	112	0	02	08	
	111	0	24	96	
	113	0	28	08	
	114	0	22	88	
	116/P	0	01	42	
	108/B	0	31	20	
	136/B	0	21	84	
	197	0	01	60	
	196	0	11	44	
	201	0	04	16	
	195	0	24	96	
	185	0	15	60	
	193	0	04	16	
	186	0	18	72	
	183/A	0	19	76	
	183/B	0	18	72	

[No. O-12016/6/93-ONG-D-IV]

M. MARTIN, Desk Officer

[सं. ओ-12016/6/93-ओ एन जीडी-4]

एम. मार्टिन, डेस्क अधिकारी

नई दिल्ली, 1 मई, 1995

New Delhi, the 1st May, 1995

S.O. 1334.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 388 dated 4-2-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has after considering the said report decided to acquire the right user in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

का. प्रा. 1335 :—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग का अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. प्रा. सं. 380 तारीख 29-2-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइप लाइनों को बिछाने के लिए अर्जित करने का अपना प्राप्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रबल शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की वजह से अगस्त एक सेबुल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, बोवणा के प्रकाशन की इस इस तारीख को निहित होगा।

घनुसूची

एनडीडी से एनएडीए -1 तक पाईप लाइन बिछाने के लिए।

नई दिल्ली, 1 मई, 1995

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर			
गांव	ब्लॉक नं.	हे.	आर.	सेन्टी	
नाडा	1680	0	08	19	
	1363	0	04	16	
	1360	0	09	05	
	1559	0	14	30	
	1528	0	23	94	
	1530	0	02	86	
काटंठ्रेक	0	02	08		
	1527	0	00	75	

[सं. ओ-12016/7/93-ओ एन. जी-डी 4]

एम. मार्टिन, डस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1335.—Whereas by notification of the Government of India, in the Ministry of Petroleum & Natural Gas S.O. No. 380 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government,

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 5 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of the powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM NADD TO NADA-

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec-tare	Are	Centiare
Nada	1680	0	08	19
	1363	0	04	16
	1360	0	09	05
	1559	0	14	30
	1528	0	23	94
	1530	0	02	86
Cart track	0	02	07	
	1527	0	00	75

[No. O-12016/7/93;ONG-D-IV]
M. MARTIN, Desk Officer

का. मा. 1336 :- यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. मा. सं. 381 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न घनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राथम्य घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और भाग, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करते के पश्चात् इस अधिसूचना से संलग्न घनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न घनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और भाग उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने का बजाय प्रायस एण्ड नेचुरल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप से, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

घनुसूची

नाडा से नाडा - 1 तक पाईपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	तालुका : जंबुसर			
गांव]	ब्लॉक नं.	हे.	आर.	सेन्टी	
नाडा	1737	0	04	16	
	1764	0	03	38	
	1537	0	04	68	
	1538	0	10	66	
	1532	0	00	82	
	1540	0	09	36	
	1531	0	17	17	
	1513	0	13	86	

[सं. ओ-12016/8/93-ओ एन. जी-डी 4]

एम. मार्टिन, डस्क अधिकारी

New Delhi, the 1st May, 1995

S.O.1336.—Whereas by notification of the Government of India, in the Ministry of Petroleum & Natural Gas S.O. No. 381 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline:

And, further in exercise of the powers conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM NADA TO NADA-I

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hect- are	Are	Centi- are
1	2	3	4	5
Nada	1737	0	04	16
	1764	0	03	33
	1537	0	04	68
	1538	0	10	66
	1532	0	00	82
	1540	0	09	36
	1531	0	17	16
	1513	0	15	86

[No. O-12016/8/93-ONG.D.IV]

M. MARTIN, Deck Officer

नई दिल्ली, 1 मई, 1995

का. आ 1337 यन्तः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1982 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय, पेट्रोलियम विभाग की अधिसूचना का. आ. सं. 382 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अधिसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना शायद घोषित कर दिया था।

और यन्तः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट की थी।

और आगे यन्तः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करके के पश्चात् इस अधिसूचना में संलग्न अधिसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का निश्चय लिया है।

अब, यन्तः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अधिसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाना है।

और आगे उक्त अधिनियम की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार के उक्त सरकार में निहित होने की वजह से उक्त प्लॉट नेचुरल गैस कार्पोरेशन लिमिटेड, में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

भूमि

जी एन एच सी में ई पी एस तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	ज़िला : भरुच	तालुका : जाम्बुसर			
गाँव	ब्लॉक नं.	हे.	घर	सेन्टा	
मोमरोल	890	0	03	64	
	888	0	10	27	
	885	0	08	84	
	886	0	02	71	
	873	0	11	96	
	875	0	04	79	
	876	0	04	16	
	877	0	05	51	
	878	0	06	24	
	879	0	04	68	
	863	0	07	28	
	869	0	16	12	
	866	0	12	96	
	696	0	11	96	
	694	0	01	87	
	693	0	12	98	
	692	0	06	76	
	691	0	00	48	

[सं. ओन 12016/9/93-जी एन जी डी-4]

एम. मार्टिन, डेक अधिकारी

New Delhi, the 1st May, 1995

S.O. 1337.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 382 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government,

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GHNV TO EPS.

State : Gujarat District : Bharuch Taluka : AMOD

Village	Block	Hect- are	Acre	Centi- are
1	2	3	4	5
Mangrol	890	0	03	64
	888	0	10	27
	885	0	08	84
	886	0	02	71
	873	0	11	96
	875	0	04	79
	876	0	04	16
	877	0	05	41
	878	0	06	24
	879	0	04	68
	863	0	07	28
	869	0	16	12
	866	0	12	96
	696	0	11	96
	694	0	01	87
	693	0	12	98
	692	0	06	76
	691	0	00	48

[No. O- 12016/9/93-ONG. D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. आ. 1338 :—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अन्तर्गत भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग का अधिसूचना का. आ. सं. 383 तारीख 29-1-94 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अन्तर्गत सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अतः, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार से निहित होने की बजाय अग्रिम एण्ड नेचुरल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

डी जे एन से डी जे एम तक पाइपलाइन बिछाने के लिए
राज्य : गुजरात जिल्ला : भरुच तालुका : पागरा

गांव	ब्लॉक नं.	हे	आर	सेन्टी
राहियाद	585	0	03	12
	586	0	29	12
	577	0	05	24
	576	0	12	48
	588	0	08	32
	589	0	15	60
	570	0	04	16
	346	0	15	60
	347	0	17	68
	432	0	08	32
	343	0	00	80
	335	0	08	32

[सं. ओ -- 12016/10/93--ओ एन जी डी --4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1338.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 383 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM DJAN TO DJAM

State : Gujarat District : Bharuch Taluka : Vagra

Village	Block No.	Hect- are	Aare	Centi- are
1	2	3	4	5
RAHIYAD	585	0	03	12
	586	0	29	12
	577	0	06	24
	576	0	12	48

1	2	3	4	5
	588	0	08	32
	589	0	15	60
	570	0	04	16
	346	0	15	60
	347	0	17	68
	342	0	08	32
	343	0	00	80
	335	0	08	32

[No.—12016/10/93—ONG.D.—IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. भा. 1339—यतः पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) के अधिनियम भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग का अधिसूचना का. भा. सं. 384 तारीख 29-1-93 द्वारा केन्द्र सरकार ने उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राथम्य घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधिनियम सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्र सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्र सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उक्त धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्र सरकार में निहित होने का बजाय प्रायः एण्ड नेचुरल गैस कार्पोरेशन लिमिटेड से सभा बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निश्चित होगा।

अनुसूची

डी जे एन से ड जे एम तक पाईप लाईन बिछाने के लिए
राज्य : गुजरात जिला : भरुच तालुका : वागरा

गाँव	ब्लॉक नं.	हे.	आर	सेन्टा
1	2	3	4	5
गेलेंडा	234	0	10	40
	233/ए, बी	0	07	28
	232	0	07	32
	230	0	10	40
	229	0	07	28
	235	0	00	50
	228	0	00	80
	224	0	05	72
	226	0	10	40
	225	0	00	80

1	2	3	4	5
गेलेंडा (जारी)	216/ए/बी	0	29	12
	218	0	26	00
	211	0	06	24
	210	0	08	32
	208	0	18	72
	207	0	00	80
	209	0	00	40
	192	0	08	36
	193	0	15	60
	204	0	08	32
	194	0	10	40
	202	0	01	00
	196	0	20	80
	159	0	11	44
	158	0	11	44
	156	0	02	-03

[सं. ओ-12016/11/93--ओ एन जा टी-4]

एम. मार्टिन, हेड ऑफ अधिकारी

New Delhi, the 1st May, 1995

S.O. 1339.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 384 dated 29-1-1993 under sub-section (1) of Section 4 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM DUAN TO DUAM

State : Gujarat District : Bharuch Taluka : Vagra				
Village	Block No.	Hect-are	Are	Centi-are
1	2	3	4	5
Gelanda	234	0	10	40
	233/A, B	0	07	28
	232	0	07	32
	230	0	10	40
	229	0	07	28

1	2	3	4	5
Gelanda (Contd.)	235	0	00	50
	228	0	00	80
	224	0	05	72
	226	0	10	40
	225	0	00	80
	216/A/B	0	29	12
	218	0	26	00
	211	0	06	24
	210	0	08	32
	208	0	18	72
	207	0	00	80
	209	0	00	40
	192	0	09	36
	193	0	15	60
	204	0	08	32
	194	0	10	40
	202	0	01	00
	196	0	20	80
	159	0	11	44
	158	0	11	44
	156	0	02	08

[No. O-12016/11/93-ONG.D-IV]

M. Martin, Desk Officer

नई दिल्ली, 1 मई, 1995

का. भा. 1340.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 का उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. भा. सं. 385 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भूतुल्य में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और ध्याते, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न भूतुल्य में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न भूतुल्य में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और ध्याते उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय ऑयल एण्ड गैस कारपोरेशन लिमिटेड में सभी भाषाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

भूतुल्य

जी एन एफ एफ से डबल्यू. आई. एच तक पाईप लाईन बिछाने के लिए।

राज्य:—गुजरात	जिला : धरुच	तालुका : वाग्रा
गांव	ब्लॉक सं.	हे. घार सेन्टो
गंधार	322	2 07 81

[सं. ओ-12016/12/93-ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

SO. 1340.—Whereas by notification of the Government of India in the Ministry of petroleum & Natural Gas S.O. No. 381 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNFF TO W.I.H.

State : Gujarat	District : Bharuch	Taluka : Vagra		
Village	Block No.	Hect-are	Are	Centi-are
1	2	3	4	5
Gandhar	322	2	07	81

[No. O-12016/12/93-ONG. D.-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. भा. 1341.—यतः पेट्रोलियम और खनिज पाईप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 का उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. भा. सं. 386 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न भूतुल्य में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय ऑयल एण्ड नेचुरल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी एम एच पी से ई पी एतक लाईन लाईन बिछाने के लिए।

राज्य :- गुजरात	जिल्ला : भरुच	तालुका	वागडा	
गाँव	ब्लॉक नं.	हे.	घार	सेण्टी
गंधार	322	1	01	92

[सं. ओ.-12016/13/93/ओ. एन. जी.डी.-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1341.—Whereas notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 386 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNHVTOEPS

State : Gujarat		District : Bharuch		Taluka : Vagra	
Village	Block No.	Hect-are	Aro	Centi-are	
1	2	3	4	5	
Gandhar	322	1	01	92	

[No. O-12016/13/93-ONG.-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. भा. 1342.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. भा. सं. 387 तारीख 29-1-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय ऑयल एण्ड नेचुरल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी एन जी यु से ईपी एन एच डबल्यू भाई. एच-II तक पाइपलाइन बिछाने के लिए।

राज्य:-गुजरात	जिल्हा : भरुच	तालुका	वागडा	
गांव	ब्लॉक नं.	हे०	घार.	सेण्टी
गांधार	322	2	08	40

[सं. ओ. 12016/14/93-ओ. एन. जी. डी.-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O.1342.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 1342 dated 29-1-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNGU TO EPS & W.I.H. II.

State : Gujarat	District : Bharuch	Taluka : Vagra			
Village	Block No.	Hectare	Are	Centi-	
				are	
1	2	3	4	5	
Gandhar	322	2	08	40	

[No. O-12016/14/92-ONG.-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. आ. 1343.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधिनियम भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग का अधिसूचना का. आ. सं 388 तारीख 4-2-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का प्रस्ताव प्रेषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधिनियम सरकार को रिपोर्ट दे दी है।

और ध्याते, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिर्देश किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एवम् द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एवम् द्वारा अर्जित किया जाता है।

और ध्याते उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय एन एन गैस कॉर्पोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

जी एन एन गैस सी ई पी एस तक पाइप लाइन बिछाने के लिए।

राज्य:—गुजरात जिला:—भरुच तालुका:—ग्राम:द

गांव	ब्लॉक नं.	हे.	घ.म.	सेन्टी.
बलीपुर	213	0	00	20
	212	0	13	31
	200	0	12	48
	199	0	09	36
	196	0	07	28
	195	0	06	24
	194	0	01	82
	191	0	01	90
	190	0	12	98
158 ए.बी		0	15	60
फाट्टे ट्रेक		0	01	69
159		0	18	72
160		0	00	15
131		0	04	68
130		0	02	08
129		0	05	72
124		0	02	18
123		0	05	72
121		0	04	68
120		0	03	12
106		0	00	24
114		0	00	06
113		0	01	95
112		0	01	95
111		0	01	95
110		0	03	12
122		0	09	36
108		0	00	20
109		0	12	48
107		0	07	80
422		0	07	28
449		0	18	72
450		0	01	58
448		0	04	79
446/ए.बी		0	22	36
445/ए.बी		0	09	88
459		0	07	28
444		0	15	60
462		0	19	76
463		0	18	72
447		0	12	48

[सं. ओ.—12016/15/93—ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1343. —Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 388 dated 4-2-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government.

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE PIPELINE FROM GNHV TO EPS.

State : Gujarat District : Bharuch Taluka : Aamod

Village	Block No.	Hectare	Are	Centon are
1	2	3	4	5
Valipur	23	0	00	20
	212	0	13	31
	200	0	12	48
	199	0	09	36
	196	0	07	28
	195	0	06	24
	194	0	01	82
	191	0	01	90
	190	0	12	98
	158/A, B	0	15	60
	Cart track	0	01	69
	159	0	18	72
	160	0	00	15
	131	0	04	68
	130	0	02	08
	129	0	05	72
	124	0	02	18
	123	0	05	72
	121	0	04	68
	120	0	02	12
	106	0	00	24
	114	0	00	06
	113	0	01	95
	112	0	01	95
	111	0	01	95
	110	0	03	12
	122	0	09	36
	108	0	00	20
	109	0	12	48
	107	0	07	80
	422	0	07	28
	449	0	18	72

1	2	3	4	5
Valipur (Contd.)	450	0	01	58
	448	0	04	79
	446/A, B	0	22	36
	445/A, B	0	09	88
	459	0	07	28
	444	0	15	60
	462	0	19	76
	463	0	18	72
	447	0	12	48

[No.O-12016/15/93-O.N.G.-D.-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. आ. 1343.—जहाँ पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधिनियम भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग का अधिसूचना का. आ. सं. 388 तारीख 4-2-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अर्हता प्राप्ति घोषित कर दिया था।

और यहाँ, जबकि सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधिनियम सरकार को रिपोर्ट दे दी है।

और आगे, जबकि केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, आगे, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निश्चय लेती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय आयल एण्ड नेचुरल गैस कॉर्पोरेशन लिमिटेड, में सभी बाधाओं में मुक्त रूप में, घोषणा के प्रकाशन के उस तारीख को निहित होगा।

अनुसूची

जी एन जी सी से ई पी एस एवं डबल्यू आई एच-II तक पाइप लाईन बिछाने के लिए

राज्य:—गुजरात	जिला:—भरुच	तालुका : वागरा		
गांव	ठेका नं.	हे.	आर.	सेन्टी.
मुलेर	5	0	09	36
	6/पी	0	22	14
	7/पी	0	23	44
	63	2	18	40

[सं. ओ.—12016/15/93—जी एन जी सी-I]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1344.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 389 dated 4-2-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNGU TO EPS. & W.I.II-II

State : Gujarat		District : Bharuch		Taluka : Vagra	
Village	Block No.	Hectare	Arc	Centi-are	
1	2	3	4	5	
Muller	5	0	09	36	
	6/P	0	22	44	
	7	0	23	44	
	63	2	18	40	

[No. O—12016/16/93-O.N.G.-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 1 मई, 1995

का. प्रा. 1345.—यसः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग की अधिसूचना का. प्रा. सं. 390 तारीख 4-2-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार का पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यसः सक्षम प्राधिकारी ने उक्त अधिनियम का धारा 6 का उपधारा (1) के अधिनियम सरकार को रिपोर्ट दे दी है।

और आगे, यसः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, असः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में

उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्द्वारा अर्जित किया जाता है।

और आगे उस धारा का उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निश्चय देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय आयल एण्ड नेचुरल गैस कारपोरेशन लिमिटेड में सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

टी. बिन्दू से सीपीक गौदार तक पाइप लाईन बिछाने के लिए

राज्य : गुजरात		जिला : भवच		तालुका : वागर	
गांव	ब्लॉक नं.	हे.	आर	सेन्टी	
पालडी	261/ए.बी	0	08	00	
	271	0	54	40	
	55	0	38	72	
	269	0	01	28	
	267	0	22	40	
	276/बी	0	19	20	
	277/बी	0	12	80	
	285	0	00	80	
	286	0	33	60	
	387	0	00	92	
	288	0	32	00	
	304	0	11	20	
	काटे ट्रेक	0	01	00	
	363/ए.बी	0	24	00	
	374	0	14	40	
	376	0	11	20	
	378	0	00	90	
	356	0	20	80	
	353/ए.बी	0	30	40	
	403	0	33	60	
	404	0	05	12	
	405/ए.बी	0	14	40	
	408	0	30	40	
	409	0	11	20	
	16	0	56	00	
	406	0	58	40	
	273	0	06	40	
	272	0	06	25	
	274	0	32	00	

[सं. ओ.—12016/17/93—ओ एन जी डी-4]

एम. माटिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1345.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. No. 390 dated 4-2-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline.

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And, further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right to user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And, further in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances

SCHEDULE

PIPELINE FROM T. POINT TO CPF GANDHAR

State : Gujarat District : Bharuch Taluka : Vagra				
Village	Block No.	Hectare	Are	Centi-are
1	2	3	4	5
Paddi	261/A/B	0	08	00
	271	0	34	40
	55	0	38	72
	269	0	01	28
	267	0	22	40
	276/B	0	19	20
	277/B	0	12	80
	285	0	00	80
	286	0	33	60
	387	0	00	92
	288	0	32	00
	304	0	11	20
	Cart track	0	01	00
	363/A/B	0	24	00
	374	0	14	40
	376	0	11	20
	378	0	00	90
	356	0	20	80
	353/A/B	0	30	40
	403	0	33	60
	404	0	05	12
	405/A/B	0	14	40
	408	0	30	40
	409	0	11	20
	16	0	55	00
	406	0	58	40
	273	0	06	40
	272	0	06	25
	274	0	32	00

[No. O—12016/17/93-O.N.G.-D.-IV]

M. MARTIN, Desk Officer

मई दिवस, 1 मई, 1995

का. प्रा. 1346.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) के अधीन भारत सरकार के ऊर्जा मंत्रालय पेट्रोलियम विभाग का अधिसूचना का. प्रा. सं. 391 तारीख 4-2-93 द्वारा केन्द्रिय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना प्राणय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम का धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रिय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रिय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रिय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रिय सरकार में निहित होने के बजाय प्रायत एण्ड नेचुरल गैस कारपोरेशन लिमिटेड, में सभा बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन का इस तारीख को निहित होगा।

अनुसूची

जो एन ई के से ई पं/एस तक पार्श्व लाईन बिछाने के लिए।

राज्य:- गुजरात जिला : भरुच तालुका :- वागरा				
गांव	ब्लॉक नं.	हे.	घार	सेन्टा
गंधार	322	0	32	86

[सं. ओ.—12016/18/93—ओ एन जी डी-4]

एम० मार्टिन, डेस्क अधिकारी

New Delhi, the 1st May, 1995

S.O. 1346.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. No. 391 dated 4-2-1993 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And, whereas, the Competent Authority has under sub-section (1) of the Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands in the Schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further, in exercise of power conferred by sub-section (4) of the section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of his declaration in the Oil & Natural Gas Corporation Ltd. free from encumbrances.

SCHEDULE

PIPELINE FROM GNEK TO EPS

State : Gandhar District : Bharuch Taluka : Bagra

Village	Block No.	Hectare	Are	Centi-are
1	2	3	4	5
Gandhar	322	0	32	86

[No. O—12016/18/93—O.N.G.-D.-IV.]

M. MARTIN, Desk Officer.

नई दिल्ली, 3 मई, 1995

का. आ. 1347 --यस: केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में अंदाडा ई पी एस से जी जी एस-IV तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी ज़मीनों को बिछाने के प्रयोजन के लिए एतद्पावश अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आशय सहित अधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ौदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आशय करने वाला हर व्यक्ति विनिश्चित: यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

अंदाडा ई पी एस से जी जी एस-IV तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात जिला : सतव तालुका : अंकेलेश्वर

गांव	ब.सं.	हे.	आर.	सेन्टा.
1	2	3	4	5
अंदाडा	कार्ट ट्रैक	0	00	78
	335	0	04	81
	334	0	01	09
	333/2	0	23	60
	333/3			
	332/2/3	0	16	43

1	2	3	4	5
अंदाडा (जारी)	339	0	11	18
	343	0	06	76
	344	0	04	26
	346	0	09	88
कार्ट ट्रैक		0	01	95
	349/2	0	01	00
	349/3	0	03	00
	350/1	0	15	66
	350/2	0	13	00
	352/1	0	10	39
	352/2/बो	0	11	00
कार्ट ट्रैक		0	01	04
	207/2	0	10	00
	206	0	05	00
	205/3	0	02	00
	205/4	0	14	30
	205/2	0	04	42
	389/1	0	13	50
	386/2	0	07	00
	387/1	0	15	34
	387/2	0	13	50
	388/2	0	01	33
कार्ट ट्रैक		0	02	34
	171	0	13	65
	172	0	21	39
	173/पी	0	02	00

[सं. ओ.—12016/136/93—ओ एन जी डी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 3rd May, 1995

S.O. 1347.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Andada EPS to GGS IV in Gujarat Sae pipeline should be laid by the Oil and Natural Gas Co. Ltd.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Co. Ltd., Construction & Maintenance Division, Makarpura Road, Vadodra 390009.

And every person making such an objections shall also state specifically whether he wishes to be heard in person or by legal practitioner.

SCHEDULE

PIPELINE FROM ANDADA EPS TO GG S IV

State : Gujarat District : Bharuch Taluka : Ankleshwar

Village	Survey No.	Hectare	Are	Centi-are
1	2	3	4	5
Andada	Cart track	0	00	78
	335	0	04	81
	334	0	01	67
	333/2	0	23	60
	333/3			
	332/2/3	0	16	43
	339	0	11	18
	343	0	06	76
	344	0	04	26
	346	0	09	88
	Cart track	0	01	95
	349/2	0	01	00
	349/3	0	03	00
	350/1	0	15	66
	350/2	0	13	00
	352/1	0	10	39
	352/2/B	0	11	00
	Cart track	0	01	04
	207/2	0	10	00
	206	0	05	00
	205/3	0	02	00
	205/4	0	14	30
	205/2	0	04	42
	386/1	0	13	50
	386/2	0	07	00
	387/1	0	15	34
	387/2	0	13	50
	388/2	0	01	3
	Cart track	0	02	34
	171	0	13	65
	172	0	21	39
	173/P	0	02	00

[No. O—12016/136/93-O.N.G.-D-IV]

M. MARTIN, Desh Office.

नई दिल्ली, 3 मई, 1995

का. प्रा. 1348 :—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जंबुसर (पी) से जी एन एक्स जी जी एस तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों की बिछाने के प्रयोजन के लिए एन.ए.ए.ए.ए. में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा 1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एन.ए.ए.ए. द्वारा घोषित किया है।

बशर्त कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप महाम प्राधिकारी, तेल तथा प्राकृतिक गैस निर्माण और देखभाल प्रभाग, मकरपुरा रोड, बड़ोदा—9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी गुप्तवाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

जंबुसर (पी) से जी एन एक्स जी जी एस तक पाइपलाइन बिछाने के लिए।

राज्य : गुजरात	जिला : भरुच	ताम्रका : जंबुसर		
गाँव	श्लोक नं.	हे	घार	सेन्टी
1	2	3	4	5
जंबुसर	175	0	00	56
	176	0	12	74
	186	0	16	64
	187	0	00	58
	213	0	06	50
	214	0	09	62
	240	0	01	56
	239	0	07	80
	238	0	11	44
	236	0	00	96
काटेद्रेक		0	01	52
	221	0	02	08
	235	0	05	85
	233	0	05	44
	232	0	07	80
	230	0	17	16
	279/1/पी	0	00	86
काटेद्रेक		0	00	78
	229	0	10	92
	407	0	17	68
	406 बी	0	00	22
	404	0	07	28
	403	0	05	20
	402	0	07	28
काटेद्रेक		0	02	34
	418	0	16	54
	419	0	08	45
	509	0	08	06
	512	0	11	05
	513	0	08	12
	526	0	02	60
	515	0	08	45
	525	0	04	78
	524	0	05	44
	517	0	16	25
	518	0	01	95

1	2	3	4	5
जंबुसर	520	0	00	22
	519	0	04	94
	853	0	01	04
	850	0	11	96
	834/पी	0	08	45
	521	0	10	40
	823	0	33	80
	822	0	10	48
काटट्रेक	0	00		52
	817	0	09	36
	816	0	00	20
	1058	0	17	68
	1057	0	10	40
	1060	0	06	50
	1061	0	08	45
	1062	0	10	40
काटट्रेक	0	02		12
	1102	0	00	38
	1099	0	11	44
	1097	0	04	68
	1098	0	10	28
	1095/1/2	0	19	76
	1120	0	08	76
	1121	0	15	60
	835	0	05	85
	1122	0	15	74
	1124	0	20	35
	1125	0	01	08
	1139	0	20	41
	1140	0	11	44
	1137	0	04	28
	1136	0	09	98
	1175	0	08	45
	1176	0	07	28
	1177	0	00	80
काटट्रेक	0	01		95

[सं. ओ--12016/133/93--ओ एन जी-डी--4]

एम. मार्टिन, ईस्क अधिकारी

New Delhi, the 3rd May, 1995

S.O. 1348.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from the Jambusar (1) to GNAQ & CGS. in Gujarat State pipeline should be laid by the Oil & Natural Gas Co. Ltd.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the petroleum and Minerals Pipeline (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority Oil & Natural Gas Co. Ltd. Construction & Maintenance Division, Makarpura Road, Vadodara-39009.

And every person making such an objections shall also state specifically whether he wished to be heard in person or by legal practitioner.

SCHEDULE

Pipeline from Jambusar(P) to GNAQ CGS.

State : Gujarat District : Bharuch Taluka : Jambusar

Village	Block No.	Hec- tare	Are	Centiare
1	2	3	4	5
Jambusar	175	0	00	56
	176	0	12	74
	186	0	16	64
	187	0	00	58
	213	0	06	50
	214	0	09	62
	240	0	01	56
	239	0	07	80
	238	0	11	44
	236	0	00	96
	Cart track	0	01	32
	221	0	02	08
	235	0	05	85
	233	0	05	44
	232	0	07	80
	230	0	17	16
	279/1/P	0	00	86
	Cart track	0	00	78
	229	0	10	92
	407	0	17	68
	406/B	0	00	22
	404	0	07	28
	403	0	05	20
	402	0	07	28
	Cart track	0	02	34
	418	0	16	64
	419	0	08	45
	509	0	08	06
	512	0	11	05
	513	0	08	12
	526	0	02	60
	515	0	08	45
	525	0	04	78
	524	0	05	44
	517	0	16	25
	518	0	01	95
	520	0	00	22
	519	0	04	94
	853	0	01	04
	850	0	11	96
	834/P	0	08	45
	821	0	10	40
	822	0	10	48
	823	0	33	80
	Cart track	0	00	52
	817	0	09	36
	816	0	00	20
	1058	0	17	68
	1057	0	10	40
	1060	0	06	50
	1061	0	08	45
	1062	0	10	40

1	2	3	4	5
	Cart track	0	02	12
	1102	0	00	38
	1099	0	11	44
	1097	0	04	68
	1098	0	10	28
	1095/1/2	0	19	76
	1120	0	06	76
	1121	0	15	60
	835	0	05	85
	1122	0	15	74
	1124	0	20	35
	1125	0	01	08
	1139	0	20	41
	1140	0	11	44
	1137	0	04	28
	1136	0	09	98
	1175	0	08	45
	1176	0	07	28
	1177	0	00	80
	Cart track	0	01	95

[No. O-12016/133/93-ONG.—D— IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 3 मई, 1995

का. भा. 1349 :—यतः केन्द्रीय सरकार की यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जंबुसर (पी) से गजेरा-1 तक पेट्रोलियम के परिवहन के लिये पाइपलाइन तेल तथा प्राकृतिक गैस लि. द्वारा बिछाई जानी चाहिए।

और अतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्पाइप अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब पेट्रोलियम और अनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना प्राक्कृत एतद्द्वारा घोषित किया है :

बतर्क कि उक्त भूमि में हितवन् कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम अधिकारी, तेल तथा प्राकृतिक गैस लि० निर्माण और देखभाल प्रभाग, मकरपुरा रोड बड़ोवा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर, कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुमचाई व्यक्तिगत रूप से हो या किसी विधि व्यवसायी की माफ़त।

अनुसूची

जंबुसर (पी) से गजेरा-1 तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	जिला : धरम	तासुका : जंबुसर		
गांव	ब्लॉक सं.	है	घर	सेन्टी
1	2	3	4	5
गजेरा	872	0	04	68
	871	0	11	44
	870	0	08	45
	869	0	01	48
कार्ट ट्रैक		0	00	78
	868	0	00	32
	850	0	03	12

1	2	3	4	5
	851	0	02	28
	852	0	04	42
	864	0	12	87
कार्ट ट्रैक		0	00	91
	965	0	06	29
	964	0	06	76
	963	0	11	44
	962	0	12	74
	961	0	14	95
	972	0	17	16
कार्ट ट्रैक		0	05	85
	1168	0	11	44
	1170	0	01	04
	1169	0	04	68
	1173	0	04	94
	1163/ए	0	19	38
	1162	0	00	38
	1160	0	12	61
	1274	0	09	62
	1273	0	04	42
	1266	0	00	32
	1267	0	11	44
	1268	0	04	29
	1270	0	14	30
	1292	0	03	54
	1294	0	06	50
	1295	0	01	89
	1298	0	06	76
	1297	0	10	92
	1303	0	04	38
	1305	0	00	38
	1304	0	04	16
	1251	0	06	76
	1350	0	10	40
	1349	0	06	34
	1348	0	06	24
	1378	0	01	95
	1379	0	02	86
	1380	0	05	10
	1381	0	03	90
	1420	0	00	22
	1382	0	12	74
	1383	0	00	86
	1413	0	07	28
	1410	0	11	44
	1409	0	04	42
	1408	0	08	58
	1406	0	04	94
	1405	0	04	16

[सं. ओ.—12016-134/93—ओ एन जी-डी—4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 3rd May, 1995

S.O. 1340.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Jambusar (P) to Gajera-1 in Gujarat State pipeline should be laid by the Oil & Natural Gas Co. Ltd.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed here to :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the petroleum and Minerals Pipeline (Acquisition of Right of User in the land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Co. Ltd. Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objections shall also state specifically whether he wished to be near in persons or by legal Practitioner.

SCHEDULE

PIPELINE FROM JAMBUSAR (P) TO GAJERA-I.

State : Gujarat District : Bhruach Taluha : Jambusar

Village	Block No.	Hectare	Are	Centi-arc
1	2	3	4	5
Gajera	872	0	04	68
	871	0	11	44
	870	0	08	45
	867	0	01	48
	Cart track	0	00	78
	868	0	00	32
	850	0	03	12
	851	0	02	28
	852	0	04	42
	864	0	12	87
	Cart track	0	00	91
	965	0	06	29
	964	0	06	76
	963	0	11	44
	962	0	12	74
	961	0	14	95
	972	0	17	16
	Cart track	0	05	85
	1168	0	11	44
	1170	0	01	04
	1169	0	04	68
	1173	0	04	94
	1163/A	0	19	38
	1162	0	00	38
	1160	0	12	61
	1274	0	09	62
	1273	0	04	42
	1266	0	00	32
	1267	0	11	44
	1268	0	04	29
	1270	0	14	30
	1292	0	03	54
	1224	0	06	50
	1295	0	01	89
	1298	0	06	76
	1297	0	10	92
	1303	0	04	38
	1305	0	00	38
	1304	0	04	16
	1251	0	06	76

1	2	3	4	5
	1350	0	10	40
	1349	0	06	34
	1348	0	06	24
	1378	0	01	95
	1379	0	02	86
	1380	0	05	10
	1381	0	03	90
	1420	0	00	22
	1382	0	12	74
	1383	0	00	86
	1413	0	07	28
	1410	0	11	44
	1409	0	04	42
	1408	0	08	58
	1406	0	04	94
	1405	0	04	16

[No. O—12016/134/93-O.N.G.-D-IV]

M. MARTIN, Desk Officer.

नई दिल्ली, 3 मई, 1995

का. घा. 1350 :—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में जी एन घाई डी से जीजीएस-II (गांधार) तक पेट्रोलियम के परिवहन के लिय पाइपलाइन तैल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जान, चाहिए ।

और अतः यह प्रतीत होता है कि एमो लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

अतः अब पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा द्वारा प्रदत्त शक्तियों का प्रयोग करतेहुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का आपना आशय एतद्द्वारा घोषित किया है ।

बगलें कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप सहम प्राधिकारी, तैल तथा प्राकृतिक गैस निर्माण और देखभाल प्रभाग, यकरपुर रोड, बड़ीबा—9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्टतः यह भी कथन करेगा कि क्या यह वह चाहता है कि उसकी सुनवाई व्यक्तिगत रूप से हो या किसी बिधि व्यवसायी की मार्फत ।

अनुसूची

जी एन घाई डी से जीजीएस-II इन्क्यू घाई एन तक पाइपलाइन बिछाने के लिए

राज्य : गुजरात	जिला : भरुच	तालुका : बागरा		
गांव	ब्लॉक सं.	है	घार	सेन्टी
1	2	3	4	5
पालडी	406	0	02	08
	16	0	15	60
	408	0	15	21
	404	0	01	04
	405/ए/बी	0	14	04

1	2	3	4	5
	403	0	26	91
	353/ए	0	24	03
	379	0	25	74
Gajera	काटेदुके	0	01	56
	372	0	17	25
	373	0	18	72
	365	0	17	55
	367	0	14	04
	368	0	03	51
	282	0	02	39
	283	0	24	57
	284	0	00	40
	279	0	14	04
	278	0	18	72

[सं० ओ-12016/135/93-ओ एन जी-डी-34]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 3rd May, 1995

S.O. 1350.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from GNID to GBS-II (Gandhar) in Gujarat State pipeline should be laid by the Oil and Gas Co. Ltd.

And whereas, it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :—

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipeline (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein :

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the Competent Authority, Oil & Natural Gas Co. Ltd. Construction & Maintenance Division, Makarpura Road, Vadodra-390009.

And every person making such an objections shall also state specifically whether he wished to be heard in person or by legal Practitioner.

SCHEDULE

PIPELINE FROM GNID TO GGS. II WITH.

State : Gujarat	District : Bharuch	Taluka : Vagra		
Village	Block No.	Hectare	Are	Centi-arc
1	2	3	4	5
Paldi	406	0	02	08
	16	0	15	60
	408	0	15	21
	404	0	01	04
	405/A/B	0	14	04
	403	0	26	91
	353/A	0	24	05
	379	0	25	74
	Cart track	0	01	56
	372	0	17	25
	373	0	18	72

SCHEDULE- Contd.				
1	2	3	4	5
	365	0	17	55
	367	0	14	04
	368	0	03	51
	282	0	02	39
	283	0	24	57
	284	0	00	40
	279	0	14	04
	278	0	18	72

[No. O-12016/135/93-O.N.G.-D-IV]

M. MARTIN, Desk Officer

नई दिल्ली, 3 मई, 1995

का. आ. 1351 :—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि गुजरात राज्य में कांडल से राजस्थान और हरियाणा से होकर पंजाब राज्य में भटिन्डा तक पेट्रोलियम के परिवहन के लिए इंडियन प्रायल कार्पोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए ;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध भूमि में बणितभूमिक उपयोग के अधिकार का अर्जन करना आवश्यक है। अतः अब केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) का धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा करती है।

उक्त अनुसूची में बणित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र के मध्य प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि के लोच पाइपलाइन बिछाने में आपत्ति लिखित रूप में श्री डी. एम. शेट, सभ्य अधिकारी इंडियन प्रायल कार्पोरेशन लिमिटेड, कांडल-मटिन्डा पाइपलाइन परियोजना, प्लॉट नं. 355 के एम. आर. शाह बेम्बर (डूमरो मंजिल), टैगोर रोड गार्डियन जिला-कच्छ (गुजरात) को कर सकेगा।

अनुसूची

तहसील : अंजार जिला कच्छ राज्य : गुजरात

गांव का नाम	सर्वे संख्या	क्षेत्रफल		
			हेक्टेयर	घारे मैट्रोओर
1	2	3	4	5
मोट. रोहर	73/2	00	05	40
चुडवा	23/1	00	00	78
	23/2	00	01	86
	23/3	00	00	60
	149	00	09	00

[सं. आर-31015/39/93-ओ आर आई (पार्ट-I)]

के. सी. कडोब, अवर सचिव

New Delhi, the 3rd May, 1995

S.O. 1351.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab via Rajasthan and Haryana, Pipeline should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the schedule annexed to this notification:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of User therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to general public, object in writing to the acquisition of the Right of user therein or laying of the pipeline under the land to Shri D.M. Sheth, Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipelines Project, Plot No. 355, Sector—12/B, M. R. Shah Chamber (Second Floor), Tagore Road, Gandhidham District-Kachchh Gujarat);

SCHEDULE

Tehsil : Anjar		District Kachchh		State : Gujarat	
Name of Village	Survey No.	Hectare	Area		
			Are	Centi-	
				are	
1	2	3	4	5	
Mithrohar	73/2	00	05	40	
Chudva	23/1	00	00	78	
	23/2	0	01	86	
	23/3	00	00	60	
	149	00	09	00	

[No. R—31015/39/93-O.R.I. (Pt.—I)]

K. C. KATOCH Under Secy

नई दिल्ली, 3 मई, 1995

का. प्रा. 1352 :—केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा आवश्यक है कि गुजरात राज्य में कांडला से राजस्थान और हरियाणा से होकर पंजाब राज्य में भटिन्डा तक, पेट्रोलियम के परिवहन के लिए इंडियन ऑयल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जाए;

और ऐसा प्रतीत होता है कि उक्त पाइपलाइन बिछाने के प्रयोजनों के लिए इस अधिसूचना से उपायध्व अनुसूची में वर्णित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है।

अतः अब केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा—3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अपने प्राथम्य की घोषणा करती हैं;

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपक्ष में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा

विए जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि के नीचे पाइपलाइन बिछाने में आपा लिखित रूप में श्री डी. एम. शेट, सक्षम प्राधिकारी इंडियन ऑयल कारपोरेशन लिमिटेड, कांडला—भटिन्डा पाइपलाइन परियोजना, प्लॉट नं. 355, सेक्टर 12/बी, एम. आर. शाह चेंबर (दूसरी मंजिल), टैगोर रोड, गंधीधाम जिला—कच्छ (गुजरात) को कर सकेगा।

अनुसूची

तहसील : भचाऊ		जिला : कच्छ		राज्य : गुजरात	
गांव का नाम		सर्वे संख्या		क्षेत्रफल	
				हेक्टेयर	घारे सेंटीभार
1	2	3	4	5	
नानी बीरई	417 पैकी	00	27	00	
	413	00	07	69	
	414/1	00	01	10	
	417 पैकी	00	09	45	
	417 पैकी	00	20	70	
	417 पैकी	00	31	50	
	55	00	43	06	
	392/1	00	04	00	
मोटी बीरई	1003/22	00	12	78	
	238/2	00	26	10	
	1003/31	00	16	20	
	209	00	05	40	
	548	00	15	66	
	550	00	09	18	
	365/2	00	04	50	
	380/2	00	04	95	
	317	00	07	03	
	318/1	00	01	79	
	203	00	06	66	
भचाऊ	2000/4 पैकी	00	53	28	
	1599	00	37	08	
	1605	00	10	80	
	1607/1	00	27	72	
	1653	00	37	80	
	1790/1	00	39	96	
	2000 पैकी	00	12	70	
	1867	00	16	74	
	1868	00	20	34	
	1865	00	12	60	
	2000 पैकी	00	14	40	
	1864 पैकी	00	12	24	
बांध	1864 पैकी	00	16	20	
	1831	00	02	16	
	1832 1	00	03	96	
बांध	860	00	28	08	
	819	00	09	54	

1	2	3	4	5
छाड़वाला	837	00	56	34
	841	00	17	10
	834	00	29	34
	560	00	21	60
	484	00	16	20
	835/1	00	03	42
	506 पैकी	00	19	26
	481	00	15	66
	596	00	36	90
	811	00	20	16
	477	00	00	30
सामखीयाली	246 पैकी	00	05	40
	250 पैकी	00	20	16
	253	00	07	20
	199	00	23	16
	200	00	16	20
	193	00	16	20
	137 पैकी	00	16	92
	135	00	36	72
	134 पैकी	00	30	96
	131	00	16	20
	130 पैकी	00	23	94
	130 पैकी	00	33	48
	132	00	29	52
	195	00	27	00
घरणा	155	00	04	23
	158 पैकी	00	30	60
	157	00	04	68
	153	00	40	23
	131	00	19	44
	15	00	03	60
लकडिया	1158	00	13	32
	826/1	00	02	16
	740	00	12	96
	713	00	06	57
	712 पैकी	00	34	92
	826/3	00	08	64
	823	00	14	58
	1082	00	06	66
	1091/4	00	05	94
	1089/1	00	03	96
	1149	00	14	40
	1150/3	00	09	90
शीवलखा	716	00	15	66
	712	00	15	12
	707/3	00	07	38
	711/2	00	03	15
	711/1	00	08	28
	699/1	00	13	50
	695/2	00	21	96
	375	00	37	26
	376	00	48	60
	346/2	00	16	90
	345/1	00	55	80

1	2	3	4	5
शीवलखा	346/3	00	15	66
	707/4	00	13	68
	708	00	12	48
	695/1	00	09	00
	380	00	19	08
	362	00	22	32
	353/1	00	24	12

[सं. आर-31015/39/93-ओआर-I (पार्ट-I)]

के. सी. कटोच, प्रवर सचिव

New Delhi, the 3rd May, 1995

S.O. 1352.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab via Rajasthan and Haryana, Pipeline should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of User therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to Shri D.M. Sheth, Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipelines Project, Plot No. 355, Sector 12/B, M. R. Shah Chamber (Second Floor), Tagore Road, Gandhidham District-Kachchh Gujarat;

SCHEDULE

Tehsil: Bhachau		District: Kachchh State : Gujarat		
Name of Village	Survey No.	Area		
		Hec- tare	Are centiare	
1	2	3	4	5
Nanichirai	417 Paiki	00	27	00
	413	00	07	69
	414/1	00	01	10
	417 Paiki	00	09	45
	417 Paiki	00	20	70
	417 Paiki	00	31	50
	55	00	43	06
	392/1	00	04	00
Motichirai	1003/22	00	12	78
	238/2	00	26	10
	1003/31	00	16	20
	209	00	05	40
	548	00	15	66
	550	00	09	18
	365/2	00	04	50
	380/2	00	04	91

1	2	3	4	5	1	2	3	4	5
	317	00	07	03	Shivalakha	716	00	15	66
	318/1	00	01	79		712	00	15	12
	203	00	06	66		707/3	00	07	38
Bhachau	2000/4 Paiki	00	53	28		711/2	00	03	15
	1599	00	37	08		711/1	00	08	28
	1605	00	10	80		699/1	00	13	50
	1607/1	00	27	72		695/2	00	21	96
	1653	00	37	80		375	00	37	26
	1790/1	00	39	96		376	00	48	60
	2000 Paiki	00	12	70		346/2	00	16	70
	1867	00	16	74		345/1	00	55	80
	1868	00	20	34		346/3	00	15	66
	1865	00	12	60		707/4	00	13	68
	2000 Paiki	00	14	40		708	00	12	48
	1864 Paiki	00	16	20		695/1	00	09	00
	1864 Paiki	00	12	24		380	00	17	08
	1831	00	02	16		362	00	22	32
	1832/1	00	03	96		353/1	00	24	12
Vondh	860	00	28	08	[No. R-31015/39/93---ORI (P-I)]				
	819	00	09	54	K.C. KATOCH, Under Secy.				
Chhadavala	837	00	56	34	नई दिल्ली, 3 मई, 1995				
	841	00	17	10	का.प्रा. 1353---केन्द्रीय सरकार की यह प्रतीत होता है कि				
	834	00	29	34	लोक हित में ऐसा आवश्यक है कि गुजरात राज्य में कांङला से राजस्थान				
	560	00	21	60	और हरियाणा में होकर पंजाब राज्य में भटिन्डा तक, पैट्रोलियम के परिवहन				
	484	00	16	20	के लिए इंडियन ऑयल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई				
	835/1	00	03	42	जाए;				
506 Paiki	00	19	26		और ऐसा प्रतीत होता है कि उक्त पाइप लाइन बिछाने के प्रयोजन				
481	00	15	66		के लिए इस अधिसूचना से उपायय अनुसूची में वर्णित भूमि के उपयोग				
596	00	36	90		के अधिकार का अर्जन करना आवश्यक है।				
811	00	20	16		अतः अब केन्द्रीय सरकार, पैट्रोलियम और खनिज पाइपलाइन (भूमि में				
477	00	00	10		उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की				
Samkhiali	246 Paiki	00	05	40	धारा-3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए,				
	250 Paiki	00	20	16	उसमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा				
	253	00	06	20	करती है;				
	199	00	23	16	उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति, राजपत्र में				
	200	00	16	20	यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिए				
	193	00	16	20	जानेकी तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन				
	137 Paiki	00	16	92	या भूमि के नीचे पाइपलाइन बिछाने में आपत्ति लिखित रूप में श्री डी.एम.				
	135	00	36	72	शेट, सक्षम प्राधिकारी इंडियन ऑयल कारपोरेशन लिमिटेड, कांङला---				
	134 Paiki	00	30	96	भटिन्डा पाइपलाइन परियोजना, प्लॉट नं. 355, सेक्टर-12/बी,				
	131	00	16	20	एम. आर. शाह चेम्बर (दूसरी मंजिल), टैगोर रोड, गांधीधाम जिला---				
	130 Paiki	00	23	94	कच्छ (गुजरात) को कर सकेगा।				
	130 Paiki	00	33	48	अनुसूची				
	132	00	29	52	तहसील :---रापर जिला :---कच्छ राज्य :---गुजरात				
	195	00	27	00	गांव का नाम सर्वे संख्या क्षेत्रफल				
Garana	155	00	04	23	हेक्टेयर आरे सैटीजर				
	158 Paiki	00	30	60	1 2 3 4 5				
	157	00	04	68	बित्राड 546/2 00 21 24				
	153	00	40	23	589/2 00 17 64				
	131	00	19	44	594 00 08 64				
	15	00	03	60					
Lakadiya	1158	00	13	32					
	825/1	00	02	16					
	740	00	12	96					
	713	00	06	57					
	712 Paiki	00	34	92					
	826/3	00	08	64					
	823	00	14	58					
	1082	00	06	66					
	1091/4	00	05	94					
	1089/1	00	03	96					
	1149	00	14	40					
	1150/3	00	09	90					

	1	2	3	4	5		1	2	3	4	5
		627/1	00	18	00			1220/1	00	18	54
		636	00	05	76			943	00	04	32
		626	00	27	00			967 पैकी	00	12	96
		627/2	00	23	22			1222	00	05	64
		591	00	14	94			1223/2	00	11	52
		601	00	14	94						
		602	00	26	64						
						छोटापर		92/3	00	11	70
								94	00	02	32
सई		114/3	00	36	72			39	00	02	16
		429/3	00	13	77						
		354	00	02	52						
		358/2	00	02	70	बेकरा		65/1	00	23	04
		345/1	00	08	10			63 पैकी	00	58	86
		184	00	03	06			95/1	00	16	56
		183	00	06	30			94	00	36	00
		162	00	44	64	भीमावर		959	00	02	88
		163	00	50	49			954/2	00	12	24
								888/1	00	07	20
								887/3	00	08	64
बाबलपर		484	00	16	29			2174/3	00	21	60
ईरस्ता		159/2	00	23	94			2173/2 पैकी	00	12	60
		144 पैकी	00	19	44			2160/2	00	09	54
		122/3	00	16	20			2085/1	00	10	35
		99	00	34	20			2082/1	00	09	00
		100/1	00	26	10			2082/2	00	12	15
		83/1	00	27	00			2078/2	00	14	22
		153/1	00	07	74			2076/1	00	21	60
		152/1	00	28	62			2074/5	00	15	12
		151	00	12	42			2073/5	00	17	64
		146/1	00	01	80			2070/6	00	13	95
								960/1	00	03	06
फिडिमानवर		1223/1	00	08	84			960/2	00	17	24
		586 पैकी	00	07	40			894/2	00	14	04
		582/1	00	02	70			888/4	00	23	22
		583/3	00	08	46			887/1	00	01	26
		702/1	00	17	82			882/3	00	16	02
		702/2	00	09	90			880	00	13	50
		696/1	00	25	38			871/4	00	02	79
		742/1	00	12	60			870	00	01	80
		744/1	00	01	26			865	00	19	26
		808/1	00	03	96			864/3	00	05	94
		809	00	08	25			863/3	00	04	77
		808	00	02	52			862/1	00	02	52
		815	00	28	08			2179/3	00	07	38
		812/2	00	27	00			2179/2	00	22	77
		594/2	00	04	50			2172/4	00	07	74
		592/2	00	32	04			2170/1	00	06	66
		592/1	00	24	12			2158/3	00	03	60
		591/5	00	10	98			2154/1	00	00	30
		589/3	00	14	40			2142/3	00	17	73
		595/1	00	18	20			2142/2	00	07	74
		698/2	00	01	62			2132/2	00	07	38
		814	00	06	86			2124	00	16	92
		817/1	00	18	90			2123/1	00	10	26
		948 पैकी	00	27	00			2093/1	00	05	04
		1129/3	00	01	44			2097/2	00	01	62

1	2	3	4	5
भीमावर—(पारो)	2097/1	00	92	52
	2098/2	00	15	12
	2085/3	00	12	24
	2083/1	00	02	34
	2081/3	00	00	81
	2081/4	00	15	93
	2077/5	00	01	80
	2069/5	00	11	34
	888/2	00	09	36
	2084 पेकी	00	14	67
	2070/1	00	14	31
	2067/1	00	17	37
	2066	00	09	18
लजागढ	149/1	00	18	36
	175	00	46	62
	74 पेकी	00	19	80
	74 पेकी	00	28	98
	134	00	05	94
	163/3	00	01	80
	162	00	05	40
	164/3	00	03	78
	172/1	00	38	88
	76/1	00	19	80
	45	00	09	00
मडिसर	557	00	32	40
	563/2	00	30	42
	597/1	00	25	20
	555	00	04	14
	493	00	07	56
बाभणसरा	88/2	00	05	40
	81 पेकी	00	28	80
	81 पेकी	00	32	40
	113 जूना	00	10	80
	116 जूना	00	23	58

[सं. प्रार.-31015/39/93-ओ.प्रार.-I (पार्ट-I)]

के. सी. कटोच, प्रवर सचिव

New Delhi, the 3rd May, 1995

S.O. 1353.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab via Rajasthan and Haryana, Pipeline should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the schedule annexed to this notification:

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of user in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of User therein:

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of

India, are made available to general public, object in writing to the acquisition of the Right of user therein or laying of the pipelines under the land to Shri D. M. Sheth, Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipelines Project, Plot No. 355, Sector—12/B, M. R. Shah Chamber (Second Floor), Tagore Road, Gandhidham District-Kachchh Gujarat);

SCHEDULE

Tehsil : Rapar District: Kachchh State : Gujarat

Name of Village	Survey No.	Area		
		Hec- tare	Are	Centiare
1	2	3	4	5
Chitrod	546/2	00	21	24
	589/2	00	17	64
	594	00	08	64
	627/1	00	18	00
	636	00	05	76
	626	00	27	00
	627/2	00	23	22
	591	00	14	94
	601	00	14	94
	602	00	26	64
Sai	114/3	00	36	72
	429/3	00	13	77
	354	00	02	52
	358/2	00	02	70
	345/1	00	08	10
	184	00	03	06
	183	00	06	30
	162	00	44	64
	163	00	50	49
Badalpur	484	00	16	20
Dedruva	159/2	00	23	94
	144 Paiki	00	19	44
	122/3	00	16	20
	99	00	34	20
	100/1	00	26	10
	83/1	00	27	00
	153/1	00	07	74
	152/1	00	28	62
	151	00	12	42
	146/1	00	01	80
Kidiyanagar	1223/1	00	08	84
	586 Paiki	00	07	40
	582/1	00	02	70
	583/3	00	08	46
	702/1	00	17	82
	702/2	00	09	90
	696/1	00	25	38
	742/1	00	12	60
	744/1	00	01	26
	808/1	00	03	96
	809	00	08	25
	806	00	02	52
	815	00	28	08
	812/2	00	27	00
	594/2	00	04	50
	596/2	00	32	04
	592/1	00	24	12

1	2	3	4	5	1	2	3	4	5
Kidiyanagar (Contd.)	591/5	00	10	98		2083/1	00	02	34
	589/3	00	14	40		2081/3	00	00	81
	595/1	00	16	20		2081/4	00	15	93
	698/2	00	01	62		2077/5	00	01	80
	814	00	06	66		2069/5	00	11	34
	817/1	00	18	90		888/2	00	09	36
	948 Paiki	00	27	00		2084 Paiki	00	14	67
	1129/3	00	01	44		2070/1	00	14	31
	1220/1	00	18	54		2067/1	00	17	37
	943	00	04	32		2066	00	09	18
	967 Paiki	00	12	96	Lakhsagadh	149/1	00	18	36
	1222	00	05	64		175	00	46	62
	1223/2	00	11	52		74 Paiki	00	19	80
Chhotapar	92/3	00	11	70		74 Paiki	00	28	98
	94	00	02	32		134	00	05	94
	89	00	02	16		163/3	00	01	80
Vekra	65/1	00	23	04		162	00	05	40
	63 Paiki	00	58	86		164/3	00	03	78
	95/1	00	16	56		172/1	00	38	88
	94	00	36	00		76/1	00	19	80
Bhimasar	959	00	02	88		45	00	09	00
	954/2	00	12	24	Adesar	557	00	32	40
	888/1	00	07	20		563/2	00	30	42
	887/3	00	08	64		597/1	00	25	20
	2174/3	00	21	60		555	00	04	14
	2173/2 Paiki	00	12	6		493	00	07	56
	2160/2	00	09	54	Bambhansar	88/2	00	05	40
	2085/1	00	10	35		81 Paiki	00	28	80
	2082/1	00	09	00		81 Paiki	00	32	40
	2082/2	00	12	15		113 Juna	00	10	80
	2078/2	00	14	22		116 Juna	00	23	58
	2076/1	00	21	60					
	2074/5	00	15	12					
	2073/5	00	17	64					
	2070/6	00	13	95					
	960/1	00	03	06					
	960/2	00	17	24					
	894/2	00	14	04					
	888/4	00	23	22					
	887/1	00	01	26					
	882/3	00	16	02					
	880	00	13	50					
	871/4	00	02	79					
	870	00	01	80					
	865	00	19	26					
	864/3	00	05	94					
	863/3	00	04	77					
	862/1	00	02	52					
	2179/3	00	07	38					
	2179/2	00	22	77					
	2172/4	00	07	74					
	2170/1	00	06	66					
	2158/3	00	03	60					
	2154/1	00	00	30					
	2142/3	00	17	73					
	2142/2	00	07	74					
	2132/2	00	07	38					
	2124	00	16	92					
	2123/1	00	10	26					
	2093/1	00	05	04					
	2097/2	00	01	62					
	2097/1	00	02	57					
	2098/2	00	15	12					
	2085/3	00	12	24					

[No. R-31015/39/93—O.R.L. (Pt-I)]

K.C. KATOCH, Under Secy.

नई दिल्ली, 3 मई, 1995

का.पा. 1354—केन्द्रीय सरकार, को यह प्रतीत होता है कि लोकहित में ऐसा आवश्यक है कि गुजरात राज्य में कोइला से राजस्थान और हरियाणा से होकर पंजाब राज्य में भटिण्डा तक, पेट्रोलियम के परिवहन के लिये इंडियन प्रायट कारपोरेशन लिमिटेड द्वारा पाईपलाईन बिछाई जावे;

और ऐसा प्रतीत होता है कि उक्त पाईपलाईन बिछाने के प्रयोजन के लिये इस अधिसूचना से उपाबद्ध अनुसूची में बंणित भूमि के उपयोग के अधिकार का अर्जन करना आवश्यक है,

अतः अत्र केन्द्रीय सरकार, पेट्रोलियम और खनिज पाईपलाईन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उनमें उपयोग के अधिकार का अर्जन करने के अन्तर्गत घोषणा करती है;

उक्त, अनुसूची में बंणित भूमि में बिखर कोई व्यक्ति, राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियां जनता को उपलब्ध करा दिये जाने की तारीख से 21 दिन के भीतर उनमें उपयोग के अधिकार का अर्जन या भूमि के नीचे पाईपलाईन बिछाने में आपत्ति लिखित रूप में श्री डी.एम. शेट, सक्षम प्राधिकारी इंडियन प्रायट कारपोरेशन लिमिटेड, कोइला-भटिण्डा पाईपलाईन परियोजना, प्लाट नं. 358, सैक्टर-12 बी, एम.आर. बाढ़, मैसूर (दूसरी मंजिल), टी.गौर रोड, गांधीधाम जिला-कच्छ (गुजरात) को कर सकेगा।

घनसूची

New Delhi, the 3rd May, 1995

सहस्रीय : सातलपुर जिला : बनारसकांठा, राज्य : गुजरात				
गांव का नाम	सर्वे संख्या	क्षेत्रफल		
		हेक्टेयर	घर	सेन्टी
1	2	3	4	5
पीपरावाला	1523	00	20	88
	785	00	15	30
	834	00	15	30
	835	00	17	64
	857	00	27	00
	887	00	29	34
	917	00	37	80
	919	00	37	80
	922	00	10	80
	862	00	20	52
	864	00	27	39
	408	00	12	60
गराम्बडी	376	00	16	38
	364	00	04	05
	347	00	21	24
	348	00	18	36
	356	00	18	00
	358	00	09	72
	360	00	12	96
	665	00	06	48
सातलपुर	661	00	09	00
	657	00	21	60
	655	00	27	90
	498	00	16	20
	437	00	03	24
	736	00	21	60
पुर	184	00	05	40
	237	00	04	80
	238	00	00	20
	49	00	32	04
वाघपुरा	158	00	07	98
	157	00	03	36
	118	00	11	88
कमानपुरा	128 पेकी	00	17	46
	128 पेकी	00	11	34
	513	00	02	92.50
बाराही	223/1	00	07	22
	121	00	08	64
मन्पुरा	130	00	11	34
	132	00	21	60
	139	00	33	84
	140	00	26	10
	147	00	06	22
	257	00	04	59

S.O. 1354.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Kandla in the State of Gujarat to Bhatinda in the State of Punjab via Rajasthan and Haryana, Pipeline should be laid by the Indian Oil Corporation Limited;

And whereas it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of right of user in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of User therein;

Any person interested in the land described in the said Schedule may within 21 days from the date on which the copies of this notification, as published in the Gazette of India, are made available to general public, object in writing to the acquisition of the right of user therein or laying of the pipeline under the land to Shri D.M. Sheth, Competent Authority, Indian Oil Corporation Limited, Kandla-Bhatinda Pipelines Project, Plot No. 355, Sector—12/B, M. R. Shah Chamber (Second Floor), Tagore Road, Gandhidham District-Kachchh Gujarat);

SCHEDULE

Tehsil: Santalpur District : Banaskantha State : Gujarat

Name of Village	Survey No.	Area		
		Hec-tare	Are	Centiare
1	2	3	4	5
Pip Rala	1523	00	20	88
	785	00	15	30
	834	00	15	30
	835	00	17	64
	857	00	27	00
	887	00	29	34
	917	00	37	80
	919	00	37	80
	922	00	10	80
	862	00	20	52
	864	00	27	39
	408	00	12	60
Garambdi	376	00	16	38
	364	00	04	05
	347	00	21	24
	348	00	18	36
	356	00	18	00
	358	00	09	72
	360	00	12	96
	665	00	06	48
Santalpur	661	00	09	00
	657	00	21	60
	655	00	27	90
	498	00	16	20
	437	00	03	24
	736	00	21	60
Pur	184	00	05	40
	237	00	04	80
	238	00	00	20
	49	00	32	04
Vaghpora	158	00	07	98
	157	00	03	36
	118	00	11	88

[सं. प्रस-31015/39/93-मोघार-I(पार्ट-I)]

के.सी. कटोव, प्रवर सचिव

Kamalpur	118	00	11	88
	128 Paiki	00	17	46
	127 Paiki	00	11	34
Varahi	513	00	02	92.50
	223/1	00	07	22
Lakhpura	121	00	08	64
	130	00	11	34
	132	00	21	60
	139	00	33	84
	140	00	26	10
	147	00	06	22
Sadpura	257	00	04	59

[No. R-31015/39/93—O.R.-I (Pt-I)]

K. C. KATOCH, Under Secy.

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 11-क की उप-धारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से दिल्ली की उक्त बृहद् योजना में एतद् योजना एतद्द्वारा निम्नलिखित संशोधन करती है।

संशोधना

“0.84 हेक्टेयर (2.07 एकड़) क्षेत्रफल भूमि की जो उत्तर में रेलवे लाईन दक्षिण में डी टी सी डिपो नॉकलोई, पूर्व में उद्योग नगर औद्योगिक क्षेत्र और पश्चिम में सूरजमल स्टेडियम से घिरी हुई है मनोरंजनात्मक उपयोग से “सार्वजनिक और अर्ध सार्वजनिक सुविधाओं (शमशान भूमि में परिवर्तित किया जाता है।

[सं. के. -13011/25/93 डी डी 1बी]

प्रार. विश्वनाथन, अवर सचिव

MINISTRY OF URBAN AFFAIRS & EMPLOYMENT

(Delhi Division)

New Delhi, the 5th May, 1995

महुरी कार्य और रोजगार मंत्रालय

(दिल्ली प्रभाग)

नई दिल्ली, 5 मई 1995

का. आ. 1355—यतः निम्नलिखित क्षेत्रों के बारे में कतिपय संशोधन जिन्हें केन्द्र सरकार अधिविजित क्षेत्रों के बारे में दिल्ली बृहद् योजना/क्षेत्रीय विकास योजना में प्रस्तावित करती है तथा जो दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 44 के प्रावधानों के अनुसार दिनांक 27-8-94 के नोटिस संख्या एफ 20-6-86 एमपी पाई द्वारा प्रकाशित किए गए थे। जिसमें उक्त अधिनियम की धारा 11-क की उप धारा (3) में अनेकित आपत्तियों सुझाव उक्त नोटिस की तारीख के 30 दिन की अवधि में आमंत्रित किए गए थे।

और यतः प्रस्तावित संशोधनों के बारे में कोई आपत्तियों और सुझाव जनता से प्राप्त नहीं हुए हैं अतः केन्द्र सरकार ने मामले पर ध्यानपूर्वक विचार करने के पश्चात् दिल्ली बृहद् योजना/क्षेत्रीय विकास योजना में संशोधन करने का निर्णय किया है।

S.O. 1355.—Whereas certain modification, which the Central Government proposed to make in the Master Plan for Delhi/Zonal Development Plan regarding the areas mentioned hereunder were published with Notice No. F. 20(6)-86 MP-Pt dated 27-8-94 for inviting objections/suggestions from the public in accordance with the provisions of Section 44 of the Delhi Development Act, 1957 (61 of 1957) as required by sub-section (3) of Section 11-A of the said Act, within thirty days from the date of the said notice;

And whereas no objections/suggestions were received from the public with regard to the said proposed modifications and whereas the Central Government, after careful consideration of the matter, have decided to modify the Master Plan for Delhi/Zonal Development Plan;

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 11-A of the said Act, the Central Government hereby makes the following modification in the said Master Plan for Delhi with effect from the date of publication of this Notification in the Gazette of India.

MODIFICATION

“The land use of an area measuring 0.84 ha. (2.07 acres) bounded by Railway Line in the North, DTC Depot Nangloi in the South, Udyog Nagar Industrial Area in the East and Suraj Mal Stadium in the West is changed from ‘Recreational use’ to ‘Public and semi-public facilities (Cremation Ground)’.

[No. K-13011/25/93-DDIB]

K. VISHWANATHAN, Under Secy.

नई दिल्ली, 15 मई, 1995

का.आ. 1356:—यतः दिल्ली उच्च न्यायालय ने सी डब्ल्यू 3461/89 में अपने दिनांक 27-5-92 के आदेश द्वारा केन्द्र सरकार को नगर नियोजकों के परामर्श से एकीकृत भवन उप-नियम बनाकर मास्टर प्लान में संशोधन करने का निर्देश दिया।

यतः उच्च अधिकार प्रदत्त समिति द्वारा दिये गये सुझावों और दिल्ली विकास प्राधिकरण द्वारा किये गये विचार-विमर्श के आलोक में दिल्ली विकास प्राधिकरण द्वारा एकीकृत भवन उप नियमों और तदोपरांत दिल्ली की मास्टर प्लान-2001 में संशोधनों पर दिल्ली विकास प्राधिकरण द्वारा विचार किया गया।

यतः दिल्ली विकास प्राधिकरण द्वारा दिनांक 19-9-92 और 17-10-93 को पब्लिक नोटिस जारी किये गये जनके द्वारा दिल्ली की मास्टर प्लान-2001 में प्रस्तावित संशोधनों के बारे में सर्वसाधारण से आपत्तियाँ/सुझाव मांगे गये थे।

यतः दिल्ली नगर निगम, नई दिल्ली नगर पालिका द्वारा भी दिनांक 27/31-8-92 एवं 3-8-92 को नसीदा भवन उपनियमों के बारे में ऐसे नोटिस जारी किए गए जिनमें सर्वसाधारण से आपत्तियाँ एवं सुझाव मांगे गए थे।

यतः दिनांक 19-9-92 को पब्लिक नोटिस की प्रतिक्रिया स्वरूप दो आपत्तियाँ/सुझाव प्राप्त हुए और दिनांक 17-10-92 के पब्लिक नोटिस के उत्तर में 7 आपत्तियाँ/सुझाव प्राप्त हुए तथा दिल्ली की मास्टर योजना-2001 के प्रावधानों से सम्बन्धित भवन उप नियमों के बारे में 63 आपत्तियाँ/सुझाव प्राप्त हुए।

यतः इन सभी आपत्तियों/सुझावों पर सचिव (एल.एस.जी.) ,राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार की अध्यक्षता में गठित उप समिति द्वारा विचार किया गया और इन पर सचिव, शहरी विकास मंत्रालय की अध्यक्षता में गठित उच्च अधिकार प्राप्त समिति द्वारा विचार किया गया।

यतः उच्च अधिकार प्राप्त समिति के निर्णयों को ध्यान में रखते हुए मसौदा भवन उप नियमों में और संशोधन किया गया तथा उन्हें सरकार द्वारा अगस्त, 1993 में उच्च न्यायालय को प्रस्तुत किया गया।

यतः उच्च न्यायालय के विज्ञान-निर्देशों के अनुसार अन्तिम उप नियमों का प्रकाशन सांविधिक प्रक्रिया एवं प्रावधानों का अनुसरण करते हुए केन्द्र सरकार द्वारा किया जाना था और मसौदा भवन उप नियमों की अन्तिम अधिसूचना से पूर्व सम्बन्धित संशोधनों को भी अधिसूचित किया जाना था।

और यतः केन्द्र सरकार ने मामले के सभी पहलुओं पर सावधानीपूर्वक विचार करने के बाद दिल्ली की मास्टर प्लान/जोनल विकास योजनाओं में संशोधन करने का निर्णय लिया।

अतः अब दिल्ली विकास अधिनियम की धारा 11(क) की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार भारत के राजपत्र में इस अधिसूचना के प्रकाशन की तिथि से दिल्ली की कथित मास्टर प्लान में अनुलग्नक के अनुसार एतद्द्वारा संशोधन करती है।

[सं. के-12016/5/79-डी डी-II-ए/1/ए/1 बी]

आर. विप्रनाथन, अवर सचिव

अनुलग्नक

संशोधन

1. पृष्ठ 69 पर धारा 8(4) उपयोग परिसरों के भीतर आने वाले भवन/भवनों का नियंत्रण के नीचे पाद टिप्पणी 5 के नीचे निम्नलिखित जोड़ा जाता है :—

“जहां कहीं शहरी स्वरूप के लिए ऊंचाई में छूट देने की जरूरत हो, दिल्ली नगर कला आयोग की सिफारिश और दिल्ली विकास प्राधिकरण/भारत सरकार के अनुमोदन से इसकी अनुमति दी जा सकती है।”

2. (i) पृष्ठ 69 पर पार्किंग स्तर के नीचे क्रम सं. ग (ii) में रिहायशी समूह आवाम के बाद “कलक्टर कोर्ट आवास” जोड़ा जाता है।

(ii) पृष्ठ 69 पार्किंग स्तर के नीचे क्रम सं. (घ) (1) के नीचे “महाविद्यालय एवं विश्वविद्यालय” के साथ “और पब्लिक स्कूल” जोड़ा जाता है।

(iii) पृष्ठ 69 पर पाद टिप्पणी सं. 3 के नीचे निम्नलिखित जोड़ा जाता है :—

(i) केन्द्रीय व्यापार केन्द्र, जिला केन्द्र, सामुदायिक केन्द्रों प्लाट क्षेत्र के अधिकतम समतुल्य कवर लाइन तक बेसमेंट वाले किसी वाणिज्यिक विकास भूखण्डों में पार्किंग एवं दिल्ली विद्युत प्रदाय संस्थान के मानकों और अनुमोदन से विद्युत उप केन्द्र जैसी सुविधाओं, दिल्ली अग्नि शमन सेवाओं के अनुमोदन से अग्नि शमन उपस्करों की विजली फिटिंग तथा समुचित अनुमोदन से भवन के लिए अपेक्षित किसी अन्य सुविधाओं की अनुमति दी जा सकती है। तथापि, यदि बेसमेंट का प्रावधान हो तो उसमें भण्डारण सहित किसी अन्य उपयोग को अनुज्ञेय फर्शी क्षेत्रफल के अनुपात में जोड़ा जाएगा।

(ii) भू आच्छादन से अधिक क्षेत्रफल वाले बेसमेंट को भूमि तल के साथ बराबर (फ्लैट) रखा जायेगा और इसमें यांत्रिक वायुसंचार उपकरणों की मदद से वायु संचरण का प्रावधान करना होगा।

(iii) बेसमेंट को इस प्रकार बनाया जायेगा कि यथा आवश्यकता फायर टेण्डर का पूरा घांर उठा सके।

3. पृष्ठ 70 और पृष्ठ 70 पर रिहायशी भूखण्ड-भूखण्डित विकास (001) की तालिका और पाद टिप्पणियों के स्थान निम्न लिखित तालिका और पाद टिप्पणियाँ रखी जायें—

क्र. स.	भूखण्ड क्षेत्रफल (वर्ग मीटर)	अधिकतम भू-आच्छादन का प्रतिशत	फर्शी क्षेत्रफल का अनुपात	रिहायशी मकानों की संख्या	अधिकतम ऊंचाई मीटर में
1.	32 से कम	75	150	1	8
2.	32 से अधिक और 50 तक	75	150	2	8
3.	50 से अधिक और 100 तक	66	180	3	12.5
4.	100 से अधिक और 250 तक	60	160	3	12.5
5.	250 से अधिक और 500 तक	50	140	3 (4)	12.5
6.	500 से अधिक और 1000 तक	40	100	5 (7)	12.5
7.	1000 से अधिक और 1500 तक	33.33	83	50 (7)	12.5
8.	1500 से अधिक और 2250 तक	33.33	83	7 (10)	12.5
9.	2250 से अधिक और 3000 तक	33.33	83	9 (14)	12.5
10.	3000 से अधिक और 3750 तक	33.33	83	11 (16)	12.5
11.	3750 से अधिक	33.33	83	13 (19)	12.5

“(1) उक्त तालिका में नक्शे के प्रावधानों के आधार पर अधिकतम रिहायशी मकानों की संख्या दी गई है।

भूमि तल पर अनुमेय अधिकतम आच्छादित क्षेत्रफल, निचली श्रेणी के सबसे बड़े आकार के प्लॉट के अनुमेय आच्छादित क्षेत्रफल और फर्शी क्षेत्रफल के अनुपात से किसी भी हालत में कम नहीं होगा।

(2) 24 मीटर तथा उससे अधिक चौड़ी सड़क से लगते 250 वर्गमीटर से अधिक आकार के रिहायशी प्लॉटों के मामले में, जिनमें 3 मंजिलों और बरवाती की पहले ही अनुमति दी गई थी (स्वीकृत नक्शे में उल्लिखित घनत्व के अनुसार) (क) फर्शी क्षेत्रफल अनुपात में अधिकतम भूमि तल आच्छादन के अनुसार वृद्धि की जायेगी (ख) अधिकतम ऊंचाई 15 मीटर होगी और (ग) रिहायशी मकानों की संख्या कोष्ठकों में दी गई संख्या के अनुसार होगी।

(3) यदि दूसरे तल (मेजानी) का निर्माण किया जाये तो इसकी गणना फर्शी क्षेत्र अनुपात में की जायेगी।

(4) बेसमेंट: (क) यदि बेसमेंट का निर्माण किया जाये तो घरेलू भण्डारण के लिए 20% भूमि आच्छादन के समतुल्य क्षेत्र के अलावा इसे फर्शी क्षेत्रफल अनुपात में शामिल किया जाना है और शेष क्षेत्र का उपयोग रसोई, रिहायशी इकाई के अनुमेय हिस्से के रूप में किया जायेगा जिसमें स्नानघर तथा पानी की टंकी तथा शौचालय आदि सुविधा नहीं होंगी।

(ख) बेसमेंट क्षेत्रफल भूमि तल आच्छादन से अधिक नहीं होगा और भूमि तल के नीचे होगा। तथापि बेसमेंट क्षेत्रफल आन्तरिक प्रांगण और शॉपट के नीचे तक फैला हो सकता है।

(5) सर्वेन्ट क्वार्टरों की संख्या अनुमोदिन भूमि नक्शे के अनुसार होगी तथा निर्माण कार्य निर्धारित ऊंचाई तक किया जायेगा। तथापि गैरेज खण्ड के स्थल को यदि मुख्य भवन के साथ मिलाया जाता है तो उस स्थिति में मुख्य भवन के हिस्से के रूप में किसी सर्वेन्ट क्वार्टर ब्लाक की अनुमति नहीं दी जायेगी। तथापि अनुमेय आच्छादन/एफ ए आर के भीतर रिहायशी एकक के रूप में भाग के सर्वेन्ट रूम के प्रावधान की अनुमति होगी।

(6) प्रत्येक सर्वेन्ट क्वार्टर में अधिकतम 11 वर्गमीटर फर्शी क्षेत्रफल का एक रहने योग्य कमरा होगा जिसमें रसोई स्थल, स्नानघर तथा शौचालय नहीं होगा। सर्वेन्ट क्वार्टर का अधिकतम आकार 20 वर्गमीटर होगा।

(7) पार्किंग :

(क) अलग-अलग प्लॉट के लिए पार्किंग स्थल की गणना पार्किंग स्थल की तालिका में दिये गये मानकों के अनुसार 150 वर्गमीटर आकार के प्लॉट के लिए अनुमेय फर्शी क्षेत्र अनुपात हेतु पार्किंग स्थल की आवश्यकताओं में छूट देने के पश्चात् 200 वर्ग मीटर से बड़े आकार के प्लॉट के कुल अनुमेय फर्शी क्षेत्र अनुपात पर आधारित होगी।

(ख) नयी भू-खंडित विकास योजना—पार्किंग क्षेत्र की गणना, योजना में अनुमेय कुल निर्मित क्षेत्र के प्रति 100 वर्ग मीटर 1.33 कार स्थल के हिसाब से की जाएगी और भवन नक्शे में अंशतः पूल पार्किंग तथा अंशतः अलग-अलग प्लॉट के हिसाब से पार्किंग प्रावधान किया जाना है।

(ग) मौजूदा भवन में परिवर्तन/परिवर्धन के मामले में अनुमोदित नक्शे के हिस्से के रूप में पार्किंग स्थल आवश्यक नहीं होगा।

(8) घनत्व :

घनत्व की गणना के लिए प्रत्येक रिहायशी मकान में 4.8 व्यक्तियों तथा सर्वेण्ड चार्टर में 2.4 व्यक्तियों का आवास माना जाएगा।

(9) ऐसे क्षेत्रों के मामले में, जो दिल्ली नगर निगम की स्थापना से पूर्व दिल्ली नगर निगम के अधिकार क्षेत्र में शामिल थे, अधिकतम 167.2 वर्ग मीटर के प्लॉटों के लिए अनुमेय प्लॉट आच्छादन इस प्रकार होगा—

(क) 83.6 वर्ग मीटर (100 वर्ग गज) तक—अधिकतम आच्छादन 75 प्रतिशत।

(ख) 83.6 वर्ग मीटर (100 वर्ग गज) से अधिक परंतु 167.2 (200 वर्ग गज) तक—अधिकतम आच्छादन 66.66 प्रतिशत।

तथापि, दोनों मामलों में शर्त यह होगी कि दिल्ली की मास्टर प्लान 2001 में निर्धारित फर्शी क्षेत्र अनुपात और ऊंचाई का उल्लंघन नहीं हो।

(10) (क) मानक नक्शे :—प्राधिकरण द्वारा डिजाइन किए गए एवं स्वीकृत किए गए कई मानक भवन नक्शे हैं। जहाँ-जहाँ ये नक्शे लागू हैं वहाँ-वहाँ पर ये संचालित होते रहेंगे।

(ख) दुकान-सह-रिहायशी प्लॉट :—जहाँ स्वीकृत मानक नक्शे नहीं हैं, वहाँ ऐसे प्लॉटों पर दुकानों के लिए 80 प्रतिशत भूमि आच्छादन वाले अलग-अलग भवन नक्शे स्वीकृत किये जा रहे हैं और जहाँ तक प्रथम एवं ऊपरी तलों पर रिहायशी विकास के लिए आच्छादन का संबंध है, दुकानों के लिए अधिकतम 80 प्रतिशत भू-आच्छादन के भवन नक्शे स्वीकृत किये जाते रहेंगे और इनमें बीच के तल का प्रावधान नहीं होगा तथा ऊपरी तलों पर रिहायशी आच्छादन पर यह शर्त लागू होगी कि स्वीकृत उस फर्शी क्षेत्र अनुपात की गणना करते समय दिल्ली की मास्टर प्लान 2001 में यथा निर्दिष्ट उपर्युक्त (क) और (ख) दोनों के अधिकतम फर्शी क्षेत्र अनुपात संबंधी प्रावधानों का उल्लंघन न हो।

(11) स्टिलट्स :—यदि किसी रिहायशी प्लॉट पर कोई भवन स्टिलट्स पर निर्मित है तो स्टिलट्स की गणना अनुमेय फर्शी क्षेत्रफल अनुपात में की जाएगी भवे ही इसका उपयोग पार्किंग, सुन्दरीकरण अथवा खेल क्षेत्र आदि के लिए किया जाता हो।

4. पृष्ठ 71 पर "आवासीय प्लॉट-समूह आवास (002)" के अंतर्गत पाद टिप्पणी (iii) इस प्रकार होगी—

(क) समूह आवास योजनाओं में बेसमेंट की अनुमति येनबलप लाइन तक ही दी जाएगी बशर्ते कि अधिकतम क्षेत्र, भवन के येनबलप क्षेत्र से अधिक न हो तथा यह प्रतिबंध लगाया जाये कि एक स्तर पर बेसमेंट का क्षेत्रफल अनुमेय भूमि आच्छादन के समान क्षेत्रफल से अधिक न हो और शेष क्षेत्रफल को बेसमेंट के निचले स्तर में ले लिया जाये।

(ख) भू-आच्छादन से बाहर और स्टिलट्स के नीचे के बेसमेंट क्षेत्र को जमीन के बराबर रखा जायेगा तथा इसमें यांत्रिक वायुसंचार उपकरणों की मदद से वायु संचरण का प्रावधान किया जायेगा।

(ग) पार्किंग तथा अन्य सेवाओं यथा—दिल्ली विद्युत प्रदाय संस्थान के अनुमोदन एवं मानकों से विद्युत उप केन्द्र स्थापित करने, दिल्ली अग्नि शमन सेवा के अनुमोदन से अग्नि निरोधी उपकरणों की बिजली फिटिंग तथा उपयुक्त अनुमोदन से भवन के लिए अपेक्षित अन्य सेवाओं के लिए उपयोग में लाए जाने वाले बेसमेंट क्षेत्र की गणना फर्शी क्षेत्रफल अनुपात में नहीं की जायेगी। तथापि यदि इसका उपयोग भण्डारण सहित अन्य उद्देश्यों के लिए होता है तो इसकी गणना फर्शी क्षेत्रफल अनुपात में की जायेगी।

(घ) यदि भवन का निर्माण गैर-आवास स्टिलट्स क्षेत्र के साथ हुआ है तथा इसका उपयोग पार्किंग, सुन्दरीकरण आदि के लिए किये जाने का प्रस्ताव है तो स्टिलट्स को फर्शी क्षेत्रफल अनुपात में शामिल किया जाना आवश्यक नहीं है।

(ङ) यदि बेसमेंट का प्रावधान पार्किंग, सर्विसिंग आदि के उद्देश्य से स्टिलट्स तल के नीचे किया गया हो तो उसे भूमि स्तर के बराबर रखना होगा तथा इसमें वायु संचार के लिए यांत्रिक वायु संचरण यंत्र उपलब्ध कराए जाएंगे तथा इसे फर्शी क्षेत्रफल अनुपात में शामिल नहीं की जाएगी।

(च) भवन से बाहर की ओर निकले बेसमेंट को भूमि-स्तर के बराबर रखना होगा, तथा स्लेब का डिजाइन इस प्रकार बनाया जाना है कि फायर टैंडर आदि का भार सहन कर सकें।

5. पृष्ठ 71 पर पार्व-टिप्पणी/रिहायशी प्लॉट में सूत्र आवास (002) के मानकों के साथ निम्नलिखित प्रावधान और जोड़े जाएंगे :-

क्लस्टर कोर्ट हाउसिंग (002-बी) :-

- (i) प्लॉट का अधिकतम आकार--4000 वर्ग मीटर
- (ii) अधिकतम फर्मी क्षेत्रफल अनुपात --100 वर्ग मीटर
- (iii) 45 वर्ग मीटर तक के प्लॉटों के लिए अधिकतम ऊंचाई --8 मीटर (2 मंजिल) और 100 प्रतिशत अधिकतम आच्छादन प्रकाश एवं वायु संचार की दशा पर आधारित।
- (iv) 45 वर्ग मीटर से ऊपर तथा 56 वर्ग मीटर तक के प्लॉटों के लिए --11 मीटर (3 मंजिल) 100 प्रतिशत अधिकतम आच्छादन और प्रकाश एवं वायु संचार की दशा पर आधारित।

अन्य नियंत्रण :

- (i) मान्य विशुद्ध आवास घनत्व 140 सी यू प्रति एकड़ जिसमें किसी एक ओर 15% की घटत-बहुत हो सकती है और इसका एक से अधिक पाकेट के लिए औसत लिया जा सकता है।
- (ii) पाकेट के सामने का न्यूनतम गलियारा --20 मीटर
- (iii) बेसमेंट की अनुमति नहीं होगी।
- (iv) भवन के एनक्लप में बाहर की ओर कोई प्रक्षेप नहीं।
- (v) प्रत्येक क्लस्टर कोर्ट आवास एक रिहायश एकल परिवार (अधिकतम 6 व्यक्ति) के लिए है।
- (vi) पाकेट के लिए सैट बैक इस प्रकार होंगे :-

क्र. सं.	भूखंड आकार (वर्ग मीटर में)	अग्र भाग	न्यूनतम सैटबैक गियर	साइड (1)	साइड (2)
1.	भूखंड आकार 4000 से 10000 वर्ग मीटर तक	9	3	3	3
2.	10000 वर्ग मीटर से अधिक	9	6	6	6

पुनर्वास तथा अग्नी-क्षौपड़ी उसी स्थल पर उन्नयन (002-सी)

- (i) अधिकतम शुद्ध घनत्व 250 टेनामेंट्स प्रति हेक्टेयर
- (ii) भूखंड आकार--न्यूनतम 25 वर्ग मीटर : तथापि, इसे 18 वर्ग मीटर तक 100% आच्छादन सहित कम किया जा सकता है बशर्ते कि प्रति भूखंड/टेनामेंट 7% की दर से क्षेत्रफल सामूहिक (क्लस्टर) खले स्थल के साथ जोड़ा जाये।
- (iii) रास्ते
 - (क) लम्बाई में 30 वर्ग मीटर तक न्यूनतम 2 मीटर चौड़ा
 - (ख) लम्बाई में 50 वर्ग मीटर तक न्यूनतम 3 मीटर चौड़ा

निम्न आय आवास :

वीआईएम द्वारा तैयार किये गये आईएसएम-8888 मानक निम्न आय आवास के लिये लागू होंगे जो 300 रिहायशी एकक/एचए तक अधिकतम शुद्ध घनत्व उपलब्ध करते हैं।

6. पृष्ठ 86 (...) विदेशी मिशन (006) के नीचे" अन्य नियंत्रणों को इस प्रकार प्रतिस्थापित किया जाता है :-

अन्य नियंत्रण :

"भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनक्लप लाटन तक बेसमेंट की अनुमति दी जायेगी और यदि पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एक ए.आर. में शामिल नहीं माना जाना चाहिए।

7. पृष्ठ 86. () होस्टल (007) के नीचे "अन्य नियंत्रणों" को इस प्रकार प्रतिस्थापित किया जाता है:—

(i) अग्रभाग में न्यूनतम ग्राउंड/डब्ल्यू 12 मीटर

(ii) भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

8. पृष्ठ 86 पर () अतिथि गृहों, गृहों, बोर्डिंग हाऊस तथा लॉजिंग हाऊस (008), विद्यमान प्रावधानों को निम्नलिखित से प्रतिस्थापित किया जाता है:

न्यूनतम भूखंड आकार	500 वर्ग मीटर
अधिकतम भूतल आच्छादन	33.33
अधिकतम एफ०ए०आर०	100
अधिकतम ऊंचाई	26 मीटर

अन्य नियंत्रण

(i) अग्र भाग में न्यूनतम ग्राउंड/डब्ल्यू—20 मीटर

(ii) भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

9. पृष्ठ 86 पर () धर्मशाला, बारातघर तथा रैन वसेरा (009,010,011) के नीचे निम्नलिखित संशोधन किये जाते हैं:—

अधिकतम ऊंचाई—15 मीटर

अन्य नियंत्रण:—

(ii) भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा अन्य सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

10. पृष्ठ 86 पर () सुविधाजनक विपणन (016) के नीचे निम्नलिखित संशोधन किया जाता है:—
(अधिकतम ऊंचाई—15 मीटर)।

(ii) पृष्ठ 64 पर () स्थानीय विपणन केन्द्र (017) के नीचे निम्नलिखित संशोधन किया जाता है:—
अधिकतम ऊंचाई—15 मीटर।

12. पृष्ठ 73 पर () जिला केन्द्र पाद टिप्पणी (78) के नीचे निम्नलिखित संशोधन किया जाता है:—

(ii) भूखंड क्षेत्रफल की अधिकतम सीमा तक भवन एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

13. पृष्ठ 73 पर () केन्द्रीय व्यापार जिला, अन्य नियंत्रण, पाद टिप्पणी (ii) को इस प्रकार संशोधित किया जाता है:—

(ii) (क) भूखंड क्षेत्रफल की अधिकतम सीमा तक भवन एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

14. पृष्ठ 73 पर () फायर ब्रिगेड लेन तथा जनपथ पर वाणिज्यिक परिसर, अन्य नियंत्रण, पाद टिप्पणी (ii) को इस प्रकार संशोधित किया जाता है:—

(ii) भूखंड क्षेत्रफल की अधिकतम सीमा तक एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

15. पृष्ठ 74 पर () मेट्रो पाम टर्म० ओखला के समीप वाणिज्यिक केन्द्र, "अन्य नियंत्रण" (ii) को इस प्रकार संशोधित किया जाता है:—

(ii) भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की अनुमति दी जायेगी और पार्किंग तथा सुविधाओं के लिये उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिये।

16. पृष्ठ 74 (), शीर्ष वाणिज्यिक केन्द्र लक्ष्मीबाई नगर; () के नीचे पृष्ठ () पर अन्य नियंत्रणों (II) को इस प्रकार प्रतिस्थापित किया जाता है:—

भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की मंजूरी दी जाएगी और यदि पार्किंग तथा सुविधाओं के लिए उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिए।

17. पृष्ठ 75 (), शीर्ष थोक व्यापार/भण्डारण के नीचे अन्य नियंत्रणों को इस प्रकार प्रतिस्थापित किया जाता है:—

अन्य नियंत्रण

भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की मंजूरी दी जाएगी और यदि पार्किंग तथा सुविधाओं के लिए उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिए।

18. पृष्ठ 75 () पर पेट्रोल पम्प (030) (iii) के नीचे इस प्रकार प्रतिस्थापित किया जाता है:—

(ii) भूखंड आकार

(क) सिर्फ फिल्लींग स्टेशन 30 मी० × 17 मी० और छोटा साइज 18 मी० × 15 मी० (दो और तीन पहियों वाले वाहनों के लिए)।

19. पृष्ठ 75 () पर होटल (032) के नीचे अन्य नियंत्रणों (ii) को इस प्रकार प्रतिस्थापित किया जाता है:—

(ii) भूखंड क्षेत्रफल की अधिकतम सीमा तक भवन एनवेलप लाइन तक बेसमेंट की मंजूरी दी जाएगी और पार्किंग तथा सुविधाओं के लिए उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिए।

20. पृष्ठ 75 () पर फ्लेटिड ग्रा इम्प्लूरी (034) के नीचे अधिकतम ऊंचाई तथा अन्य नियंत्रणों को इस प्रकार प्रतिस्थापित किया जाता है:—

अधिकतम ऊंचाई

15 मीटर

अन्य नियंत्रण

भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की मंजूरी दी जाएगी और पार्किंग तथा सुविधाओं के लिए उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिए।

21. पृष्ठ 75 () पर सेवा केन्द्र (035) के नीचे अधिकतम ऊंचाई और अन्य नियंत्रणों को इस प्रकार प्रतिस्थापित किया जाता है:—

अधिकतम ऊंचाई

15 मीटर

अन्य नियंत्रण

भूखंड क्षेत्रफल के अधिकतम 50% तक भवन एनवेलप लाइन तक बेसमेंट की मंजूरी दी जाएगी और पार्किंग तथा सुविधाओं के लिए उपयोग होने पर इसे एफ०ए०आर० में शामिल नहीं माना जाना चाहिए।

22. पृष्ठ 75 () और पृष्ठ () पर, औद्योगिक भूखण्ड लघु और सेवा उद्योग (036) के नीचे क्रमांक 1 से 4 तक अधिकतम ऊंचाई को 12 मीटर तक प्रतिस्थापित किया जाता है और अन्य नियंत्रणों को निम्न प्रकार प्रतिस्थापित किया जाता है:—

अन्य नियंत्रण:—

- (i) अधिकतम तल की मंजूरी बेसमेंट, भूतल और प्रथम तल तक होगी, बेसमेंट भूतल के नीचे होना चाहिए और ग्राउंड कवरेज की अधिकतम सीमा एफ०ए०आर० में शामिल होगी। यदि बेसमेंट नहीं बनाया जाता है तो अनुमेय एफ०ए०आर० द्वितीय तल पर लिया जा सकता है।
- (ii) मैजनिन की अनुमति नहीं होगी, जहां पहले से निर्मित है एफ०ए०आर० में शामिल मानी जाएगी।
- (iii) छत ट्रास्टीज के मामले में भवन की ऊंचाई समायोजित/रियायती मानी जानी चाहिए।

मांतिगा खान डम्प स्कीम के मामले में निम्नलिखित मानदण्ड लागू होंगे:—

(क) अधिकतम भूमि आच्छादन 75% (पूर्णतया पुनर्निर्मित भवन के मामले में 30% अधिकतम एफ०ए०आर० 150 और अधिकतम ऊंचाई 12 मीटर होगी।

(ख) लघु/सेवा उद्योग तथा फुटकर बाजार के लिए भूतल की मंजूरी दी जाएगी रिहायशी/कार्यालय के लिए प्रथम तल की अनुमति होगी और द्वितीय तल, यदि कोई हो, रिहायश के लिए ही अनुमति होगी।

(ग) मैजनिन की मंजूरी दी जाएगी।

(घ) भूमि आच्छादन की अधिकतम सीमा तक बेसमेंट की मंजूरी दी जाएगी और एफ. ए. आर. में शामिल माना जाएगा।

(ङ) पार्किंग, लाभार्थियों की लागत पर निर्धारित मानकों पर विकसित की जाएगी।

23. पृष्ठ 76 () पर, एक्सटेन्सिव इन्डस्ट्री (037) के नीचे क्रमांक 1 से 4 तक 6 मीटर की अधिकतम ऊंचाई को 9 मीटर तक प्रतिस्थापित किया जाता है और "अन्य नियंत्रणों" को इस प्रकार प्रतिस्थापित किया जाता है :—

अन्य नियंत्रण :

(i) बेसमेंट सहित एक मंजिले भवन की मंजूरी है। बेसमेंट भूतल के नीचे होगा और भूमि आच्छादन की अधिकतम सीमा तक एफ०ए०आर० में शामिल माना जाना चाहिए।

(ii) मैजनिन तक की मंजूरी नहीं दी जाएगी।

(iii) छत ट्रांससंज के मामले में भवन की ऊंचाई समायोजित/रियायती हो सकती है।

24. पृष्ठ 76 () पर, सरकारी कार्यालयों, एकीकृत कार्यालय परिसर (066, 067, 068, 0770) के नीचे 26 मीटर की अधिकतम ऊंचाई को 37 मीटर प्रतिस्थापित किया जाता है और अन्य नियंत्रणों (ii) को इस प्रकार प्रतिस्थापित किया जाता है :—

(ii) भूखण्ड क्षेत्रफल की अधिकतम सीमा तक भवन एनवेलप लाइन तक बेसमेंट की मंजूरी दी जाएगी और पार्किंग तथा सुविधाओं के लिए उपयोग होने पर एफ०ए०आर० में शामिल माना जाना चाहिए।

25. स्वास्थ्य केन्द्र/उपचार गृह (073, 074) के अन्तर्गत, पृष्ठ 77) () पर, अधिकतम ऊंचाई 14 मीटर के स्थान पर 15 मीटर कर दी गयी है और तहखाने के प्रावधान में इस प्रकार जोड़ा गया है :—

"तहखाना यथा अस्पताल होगा"

26. अस्पताल (072) के अन्तर्गत पृष्ठ 76 () पर अन्य नियंत्रण (ii) को इस प्रकार प्रतिस्थापित किया जाता है :—

(ii) भूखण्ड क्षेत्र के 50% तक की अधिकतम सीमा तक एनवेलप लाइन तक बेसमेंट की अनुमति होगी और यदि पार्किंग और सेवाओं के लिए उपयोग किया जाता है तो एफ०ए०आर० में शामिल नहीं माना जाना चाहिए।

27. पृष्ठ 77 () पर नर्सरी स्कूल के अन्तर्गत अधिकतम ऊंचाई 8 मीटर के स्थान पर 11 मीटर कर दी गयी है और तहखाने के प्रावधान हेतु इस प्रकार जोड़ा गया है :—

"भूतल के नीचे और भूतल विस्तार की अधिकतम सीमा तक तहखाना यदि निर्मित किया जाना है तो एफ०ए०आर० में गिना जायेगा"।

28. पृष्ठ 77 () पर प्राइमरी स्कूल (081) के अन्तर्गत अधिकतम ऊंचाई 14 मीटर से बदलकर 15 मीटर तक कर दी गयी है।

29. पृष्ठ 77 () पर सेकेंड्री स्कूल/सी०से० स्कूल/एकीकृत स्कूल/एकीकृत रिहायशी स्कूल (082, 083, 084, 085) के अन्तर्गत अधिकतम ऊंचाई 14 मीटर के स्थान पर 15 मीटर कर दी गयी है।

30. पृष्ठ 77 () पर कावेज (086) के अन्तर्गत अधिकतम ऊंचाई 14 मीटर के स्थान पर 15 मीटर कर दी गयी है और टिप्पणी इस प्रकार दी है :—

टिप्पणी :—

(i) 081 से 086 परिसरों के मामले में भूखण्ड का कुल क्षेत्र (क) स्कूल/कावेज भवन क्षेत्र (ख) खेल मैदान क्षेत्र (ग) पार्किंग क्षेत्र (घ) सामाजिक बुनियादी सुविधाओं के खण्ड में ऐसे परिसरों के लिए दिये गये क्षेत्र के अनुपात में रिहायशी और इस्टल क्षेत्र में से विभक्त किया जायेगा अधिकतम ग्राउंड कवरेज और एफ०ए०आर० केवल भवन गतिविधियों के लिए रखे गये क्षेत्र अर्थात् (क) और (घ) पर ही परिकल्पित किया जायेगा।

(ii) अगर तहखाना भी बनाया गया है तो वह भी एफ०ए०आर० की गणना में लिया जायेगा।

31. पृष्ठ 77 () पर शैक्षिक और अनुसंधान केन्द्र के अन्तर्गत अधिकतम फर्सी क्षेत्र अनुपात के पश्चात् निम्नलिखित जोड़ा गया है:—

अधिकतम ऊँचाई

26 मीटर

32. पृष्ठ 77 () पर सभागार/सामुदायिक हॉल (099 एवं 101) के अन्तर्गत अधिकतम ऊँचाई 14 मीटर के स्थान पर 20 मीटर तक कर दी गई है और अन्य नियंत्रण इस प्रकार प्रतिस्थापित किए जाते हैं।

अन्य नियंत्रण:—

(i) भवन एनक्लप लाइन तक और भूखंड क्षेत्र के 50% तक की सीमा तक तहखाने की अनुमति होगी और यदि पार्किंग और सेवाओं के लिए उपयोग किया जाता है तो एफ. ए. आर. में नहीं गिना जायेगा।

33. पृष्ठ 77 () पर धार्मिक परिसर (107) के अन्तर्गत अधिकतम ऊँचाई 8 मीटर से बदलकर 11 मीटर कर दी गई है और निम्नलिखित टिप्पणी जोड़ी गई है:—

यदि तहखाना भूतल के नीचे और ग्राउन्ड कवरेज की अधिकतम सीमा तक बनाया जाता है तो एफ. ए. आर. में गिना जायेगा।

34. पृष्ठ 77 () पर पुलिस चौकी के अन्तर्गत अधिकतम ऊँचाई के पश्चात् निम्नलिखित जोड़ा गया है:—

भूतल के नीचे और ग्राउन्ड कवरेज की अधिकतम सीमा तक बेसमेंट की अनुमति होगी और यदि पार्किंग और सेवाओं के लिए उपयोग में लाया जाता है तो एफ. ए. आर. में नहीं गिना जाना चाहिए।

35. पृष्ठ 77 () पर पुलिस चौकी/अग्नि शमन चौकी/अग्नि शमन स्टेशन (110, 115 एवं 116) के अन्तर्गत अधिकतम ऊँचाई 14 मीटर से बदलकर 15 मीटर तक कर दी गई है और अन्य नियंत्रण (ii) इस प्रकार प्रतिस्थापित किया जाता है:—

अन्य नियंत्रण

(i) बेसमेंट एनक्लप लाइन तक और भूखंड क्षेत्र के 50% तक की अधिकतम सीमा तक अनुमति होगी और यदि पार्किंग और सेवाओं के लिए उपयोग में लाया जाता है तो एफ. ए. आर. में नहीं गिना जायेगा।

36. पृष्ठ 78 () पर डाक एवं तार कार्यालय/मु० डा० घर (118 एवं 119) के अन्तर्गत अधिकतम ऊँचाई 14 मीटर से बदलकर 15 मीटर कर दी गई है और अन्य नियंत्रण इस प्रकार प्रतिस्थापित किया जाता है:—

अन्य नियंत्रण:

बेसमेंट एनक्लप लाइन तक और भूखंड क्षेत्र के 50% तक की अधिकतम सीमा तक अनुमति होगी यदि पार्किंग और सेवाओं के रूप में उपयोग किया जाता है तो एफ. ए. आर. में नहीं गिना जाना चाहिए।

37. पृष्ठ 78 पर सार्वजनिक और अर्धसार्वजनिक परिसरों के अन्तर्गत अन्य नियंत्रणों (ii) को इस प्रकार बदला गया है:—

बेसमेंट, एनक्लप लाइन तक और भूखंड क्षेत्र के 50% तक की अधिकतम सीमा तक अनुमति होगी और यदि पार्किंग और सेवाओं के रूप में उपयोग में लाया जाए तो एफ. ए. आर. में नहीं गिना जाना चाहिए।

38. पृष्ठ 81 () पर व्यावसायिक कार्यकलाप के अन्तर्गत प्रावधान को निम्नलिखित के द्वारा प्रतिस्थापित किया जाता है।

व्यावसायिक कार्यकलाप निम्नलिखित शर्तों पर रिहायशी भूखंडों/फ्लैटों पर किसी तल पर अनुमति होंगे:—

“परिसर के निवासी को उसके आवास के अधिकतम 25% अथवा 50 वर्ग मीटर जो भी कम हो को गैर रिहायशी कार्यकलाप जो उसके व्यावसायिक कांशल पर आधारित सेवाएं देने के लिए हों लेकिन वह कार्यकलाप उपद्रवी न हो, के उपयोग के लिए अनुमति दी जायेगी। रिहायशी प्लॉटों के मामलों में किसी एक तल का उपयोग किया जा सकेगा बशर्ते कि समस्त परिसर पर उसकी व्यावसायिक कांशल हो। व्यापार और औद्योगिक कार्यकलाप (30 वर्ग मीटर की अधिकतम सीमा के भूतल पर घरेलू उद्योग को छोड़कर) की अनुमति नहीं होगी।

39. राजपत्र के पृष्ठ 55..... () पर धारा 3(6) के पश्चात् निम्नलिखित जोड़ा जाता है:—

“3(7) प्राधिकरण/स्थानीय निकाय (निकायों) को पूर्णतः/अधिकार प्रमाणपत्र पर विचार करते समय भवन (भवनों)/परिसरों में अनुमति आच्छादन/फर्सी क्षेत्रफल अनुपात की सीमाओं में 5% तक की रद्दोबदल को जुर्माना लगाकर कंपाउन्ड करने का अधिकार दिया जायेगा बशर्ते कि यह रद्दोबदल 13.5 वर्ग मीटर से अधिक न हो। यह जिला केन्द्रों, सामुदायिक केन्द्रों आदि के हिस्से वाले उन भवनों पर लागू नहीं होगा जिनमें वास्तुकीय नियंत्रणों के अनुसार 1000 भू-आच्छादन और निर्धारित ऊँचाई की अनुमति दी गई है।

New Delhi, 15th May, 1995

S.O. 1356.—Whereas the Hon'ble High Court of Delhi directed the Central Government to re-frame the United Building Bye-laws in consultation with Town Planners and amend the Master Plan as well while framing the new Building Bye-laws vide their order dated 27-5-92 in CW 3461/89.

Whereas unified Building Bye-laws and consequential modifications to MPD-2001 were considered by Delhi Development Authority in the light of the suggestions made by the High Powered Committee and the deliberations of Delhi Development Authority.

Whereas public notices dated 19-9-92 and 17-10-92 were issued by Delhi Development Authority inviting objections/suggestions from the public with respect to the proposed modification in MPD-2001.

Whereas such notices were also issued by MCD, NDMC on 27/31-8-92 and 3-9-92 for draft Building Bye-laws inviting objections/suggestions from the public.

Whereas 2 objections/suggestions were received in response to public notice dated 19-9-92 and 7 objections/suggestions were received in response to public notice dated 17-10-92 and 63 objections/suggestions were received in respect of Building Bye-laws pertaining to MPD -2001 provisions.

Whereas all these objections/suggestions were considered by the Sub-Committee under the Chairmanship of Secretary (LSG) Govt. of National Capital Territory of Delhi and were further considered by High Powered Committee under the chairmanship of Secretary, Ministry of Urban Development.

Whereas keeping in view the decisions of the High Powered Committee, draft Building Byelaws were further amended and submitted to the Hon'ble High Court in August, 1993 by the Government.

Whereas as per the directions of High Court, the final Bye-laws were to be published by the Central Government following the statutory procedure and provisions and prior to final notification of draft building Bye-laws, corresponding modifications were to be notified.

And whereas the Central Government have, after carefully considering all aspects of the matter, decided to modify the Master plan for Delhi/Zonal Development Plans.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 11-A of the Delhi Development Act, the Central Government hereby makes the modifications, as per Annexure, in the said Master Plan for Delhi with effect from the date of publication of this Notification in the Gazette of India.

[No. K-12016/5/79-DD. IIA/VA/IB]

R. VISHWANATHAN, Under Secy.

ANNEXURE

MODIFICATIONS

1. On page 158 (right hand side) under Clause 8(4) Control for Building/Buildings within use promises, under footnotes, the following is added:

“Wherever there is a need for relaxation in height for achieving urban form the same may be permitted with the recommendation of the Delhi Urban Act Commission and approval of Delhi Development Authority/ Govt. of India”.

2. (i) On page 159 (Left hand side), under Parking Standard at Sl. No. C(ii) “Cluster Court Housing” is added after Residential Group Housing.

(ii) On page 159 (LHS), under Parking Standard at Sl. No. D(i) & “Public Schools” is added after “College & University”.

(iii) On page 159 (LHS) after footnote no. 3, the following is added :—

- (i) Plots forming part of any commercial development such as Central Business District, District Centre, Community Centres, etc., basement(s) upto the envelope line maximum equivalent to the plot area, could be permitted for parking and services such as electric sub-station with specifications and approval of DESU, installation of electrification for fire fighting equipment with the approval of Delhi Fire Services and any other services/required for the building with appropriate approval. However, any other use in the basement including storage, if provided, shall be counted in permissible FAR.
- (ii) The basement beyond the ground coverage shall be kept flushed with the ground and shall be ventilated with mechanical means of ventilation; and
- (iii) Basement shall be designed to take full load of the fire tender, wherever required.

3. On page 159 (RHS) & page 160 (LHS), the table and footnotes of Residential plot-plotted development (001) are replaced by the following :

Sl. No.	Area of the plot (Sq. Mt.)	Max. Ground Coverage percentage	FAR	No. of dwelling Units	Maximum height in meter
1.	Below 32	75	150	1	8
2.	Above 32 to 50	75	150	2	8
3.	Above 50 to 100	66	180	3	12.5
4.	Above 100 to 250	60	160	3	12.5
5.	Above 250 to 500	50	140	3(4)	12.5
6.	Above 500 to 1000	40	100	5(7)	12.5
7.	Above 1000 to 1500	33.33	83	5(7)	12.5
8.	Above 1500 to 2250	33.33	83	7(10)	12.5
9.	Above 2250 to 3000	33.33	83	9(13)	12.5
10.	Above 3000 to 3750	33.33	83	11(16)	12.5
11.	Above 3750	33.33	83	13(19)	12.5

(i) The above table gives maximum number of dwelling, subject to the provisions of layout plan.

The permissible maximum covered area on ground floor and FAR shall in no case be less than the permissible covered area and FAR for the largest size plot in the lower category.

(ii) In case of residential plots above 250 sq. mt. facing 24 m and above road, and where already 3 storeys and a barati was permitted (as per density calculated in the sanctioned layout); (a) the FAR shall be increased by the maximum ground floor coverage (b) maximum height shall be less than 15m and (c) the number of dwelling units shall be as given in the brackets.

(iii) The mezzanine if constructed shall be counted in the FAR.

(iv) Basement : (a) Basement, if constructed is to be included in FAR calculators except equivalent to 20% of the ground coverage for household storage and the remaining area may be used as part of permissible dwelling units without having kitchen, bathroom(s) and water closer (s)-WC.

(b) Basement area shall not to exceed the ground floor coverage and shall be below the ground floor. Basement area may however be extended below the internal courtyard and shaft.

(v) Number of servant quarters shall be provided as per approved layout plan and construction to be done within the stipulated height. However, if the garage block space is merged with the main building, no separate servant quarter block or servant quarter as part of main building shall be allowed. However, provision for a servant's room as part of the dwelling unit within the permissible coverage/FAR shall be allowed.

(vi) Each servant quarter shall comprise of one habitable room of area not less than 11 sqm, floor area, exclusive of cooking verandah, bathroom and lavatory. The maximum size of servant quarter shall be 20 sq. m.-

(vii) Parking :

- (a) In respect of individual plot, the calculation for parking space shall be based on the total permissible FAR of plot size above 200 sqm., after giving allowance of the parking space requirements for permissible FAR of a plot of 150 sqm. in size as per norms given in the table for parking space.
- (b) New plotted development scheme : The parking area is to be calculated @ 1.33 car space per 100 sq. m. of total built up area permissible in the scheme and parking provision is to be made, in the layout plan partly by way of pool parking and partly in the individual plot.
- (c) Parking requirement shall not be insisted upon in case of addition/alteration in the existing building forming part of approved layout plan.

(viii) Density :

For the purpose of density calculations the dwelling unit shall be considered to accommodate 4.8 persons and the servant quarter to accommodate 2.4 persons.

- (ix) In areas, which prior to the establishment of MCD, were included within the jurisdiction of Delhi Municipal Committee, permissible plot coverage for plots not exceeding 167.2 sqm. (200 sq. yds.) shall be as under :

- (a) Not exceeding 83.6 sq. mt. (100 sqyd.)—maximum coverage 75%
- (b) Above 83.6 sq. mtr. (100 sq. yd.) and not exceeding 167.2 sq. mt. (200 sq. yd.)—maximum coverage 66.66%.

However, in both cases subject to that FAR and height as prescribed in MPD-2001 are not violated.

- (x) (a) Standard Plans : There area number of standard building plans designed and approved by the Authority. Such plans shall continue to operate whenever applicable.
- (b) Shop-cum-residential plots : Where there is no approved standard plan and individual building plans on such plots were being sanctioned with 80% ground coverage for shops and coverage as for residential development on first and upper floors, building plans shall continue to be sanctioned with maximum 80% ground coverage for shops without a mezzanine floor and with residential coverage on the upper floors subject to the condition that while calculating the FAR the provisions in both (a) and (b) above maximum FAR as prescribed in MPD 2001 are not to be violated.

(x) Stilts:

If a building on a residential plot is constructed on stilts, the same shall be counted in the permissible FAR, irrespective of whether it is used for parking, land scapping or as play area etc.

4. On page 160 (IHS) under RESIDENTIAL PLOT-GROUP HOUSING (002), the footnote (iii) is replace as under:

Basement:

- (a) Basement(s) in the Group Housing Schemes shall be permitted upto the building envelope line subject to that the maximum area, shall not exceed the building envelope area and with subject to the restriction that at one level the basement area is not to exceed equivalent to permissible ground coverage and the remaining would be taken in the lower level of the basement.
- (b) That the basement area outside the ground coverage and below the stilts is to be flushed with the ground and is to be ventilated with mechanical means of ventilation.
- (c) The basement area to be used for parking and services such as location of electric sub-station with specifications and approval of DESU, installation of electrification for fire fighting, with the approval of Delhi Fire Services and any other services required for the building with appropriate approval, shall not be counted in FAR Calculations. However, if used for any other purpose including storage the same shall be counted in FAR calculations.
- (d) If the building is constructed with stilt area of non-habitable height and is proposed to be used for parking, landscaping, etc. the stilt floor need not to be included in FAR.
- (e) In case a basement is provided below the stilt floor for purposes of parking, servicing etc., the same shall be flushed with ground level and provided with a mechanical means of ventilators and shall not be included in the FAR.
- (f) The basement projecting outside the building shall be flushed with the ground and the slab is to be designed to take the load of fire tender, etc.

5. On plot 160 (LHS), after the footnote/norms of RESIDENTIAL PLOT—GROUP Housing (002), the following provisions are added :

Clusted Court Housing (002-B) :

- (i) Minimum size of plot 4000 sqm.
- (ii) Maximum FAR 100
- (iii) Maximum height for plots upto 45 sqm. 8 Mtrs. (2 storey) with maximum coverage 100% subject to light and ventilation condition.
- (iv) For plots above 45 sqm. upto 45 sqm. 11 Mtrs. (3 storey) with maximum coverage 100% subject to light and ventilation condition

6. Other Controls :

- (i) The net housing density permissible 140 DUs per hect. with a 15% variation on either side and could be averaged for more than one pocket.
- (ii) Minimum street front of the pocket : 20 Mtrs.
- (iii) No basement is allowed.
- (iv) No projection outside the building envelope.
- (v) Each cluster court house is for one dwelling for a single family (maximum 6 persons).
- (vi) Setbacks for the pocket would be the same as below :

Sl. Plot size (in sq. mtr.) No.	Front	Min. setbacks Rear	Side (1)	Side (2)
1. Plot size from 4000 and upto 10000 sq. mtrs.	9	3	3	3
2. Above 10000 sq. mtrs.	9	6	6	6

Resettlement and Jhuggi Jhopri (JJ) insitu upgradation (002-C) :

(i) Maximum net density 250 tenements per hect.

(ii) Plot size— minimum 25 sq. mtr. however, it may be reduced to 18 sq. mtr. with 100% coverage provided an area @ 7 sq. mtr. per plot/tenement is clubbed with the cluster open space.

(iii) Path ways :

- (a) Min. 2 mtrs. wide upto 30 mtrs. in length.
- (b) Min. 3 mtrs. wide upto 50 mtrs. in length.

LOW INCOME HOUSING:

The norms of ISS—8888 formulated by the BIS shall be applicable for Low Income Housing which provide a maximum net density upto 300 DUs/ha.

6. On page 160 (LHS), under Foreign Mission (006), other controls is replaced as under :

Other Controls :

“Basement upto the building envelope line to the maximum extent of 50% of plot area shall be allowed and if used for parking and services should not be counted in FAR”.

7. On page 160 (LHS), under HOSTEL (007), ‘other controls’ are replaced as under :

- (i) Minimum R/W in front 12 m.
- (ii) Basement upto the building envelope line to the maximum extent of 50% of plot area shall be allowed and if used for parking and services should not be counted in FAR.

8. On page 160 (LHS) under Guest Houses, Boarding House & Lodging House (008), the following replaces the existing provisions :

Minimum Plot size	500 sqm.
Maximum ground coverage	33.33%
Maximum FAR	100
Maximum height	26 m.

Other Controls

- (i) Minimum R/W in front 20 m.
- (ii) Basement upto the building envelope line to the maximum extent of 50% of plot area shall be allowed and if used for parking and services should not be counted in FAR.

9. On page 160 (LHS), under DHARMSHALA, BARATGHAR & NIGHT SHELTER (009, 010 & 011), the following amendments are made:

Maximum height 15m.

Other Controls:

(ii) Basement upto the building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

10. On page 160 (RHS), under CONVENIENT SHOPPING (016), the following amendment is made :

Maximum height 15 m.

11. On page 160 (RHS), under LOCAL SHOPPING CENTRE (017), the following amendment is made:

Maximum height 15 m.

12. On page 160 (RHS), under DISTRICT CENTRE, footnote (ii) is amended as under :

(ii) Basement(s) upto the building envelope line to the maximum extent of plot area shall be allowed and if used for parking and services should not be counted in FAR.

13. On page 161 (LHS), under CENTRAL BUSINESS DISTRICT, other controls, footnote (ii) is amended as under:

(iii) (a) Basement(s) upto building envelope line to the maximum extent of plot area shall be allowed and if used for parking and services, should not be counted in FAR.

14. On Page 161 (LHS), under COMMERCIAL COMPLEX at Fire Brigade Lane & Janpath lane other controls, footnote (ii), is amended as under :

(ii) Basement(s) upto envelope line and to the maximum extent of the plot area shall be allowed and if used for parking and services should not be counted in FAR.

15. On page 161 (RHS), under COMMERCIAL CENTRE ADJOINING METRO PASS, TERM. OKHLA, other controls (ii) is amended as under :

(ii) Basement upto the building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

16. On page 162 (LHS), under the heading COMMERCIAL CENTRE—Laxmi Bai Nagar (P. 161 RHS), other controls (ii) on page 162 (LHS) is replaced as under:

Basement(s) upto the building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

17. On page 162 (LHS), under the heading WHOLESALE TRADE WARE HOUSING, other controls is replaced as under:

Other Controls

Basement upto the building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

18. On page 162 (RHS), under PETROL PUMP (030) (iii) a is replaced as under:

(iii) Plot Size

(a) Only filling station 30m x 17m and small size 18 mX 15m (for two and three wheelers).

19. On page 162 (RHS) under HOTEL (032), other controls (ii) is replaced as under:

(ii) Basement(s) upto the building envelope line to the maximum extent of plot area shall be allowed and if used for parking and services should not be counted in FAR.

20. On page 162 (RHS) under Flatted Group Industry (034), the maximum height and other controls are replaced as under:

Maximum height 15m

Other Controls:

Basement upto the building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

21. On page 162 (RHS) under SERVICE CENTRE (035), the maximum height and other controls are replaced as under:-

Maximum height 15m

Other Controls:

Basement upto the building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

22. On page 162 (RHS) and page 163 (IHS), under INDUSTRIAL PLOTLIGHT AND SERVICE INDUSTRY (036), the max. height at Sl. No. 1 to 4 is replaced by 12m and other controls are replaced by the following;

Other controls:

- (i) Maximum floors allowed shall be basement, ground floor and first floor, Basement should be below ground floor and to the maximum extent of ground coverage shall be counted in FAR. In case the basement is not constructed the permissible FAR can be achieved on the second floor.
- (ii) Mezzanine shall not be allowed, where already constructed shall be included in the FAR.
- (iii) In case of roof trusses height of buildings should be adjusted/relaxed.
In case of Motia Khan Dump scheme, the following norms shall apply:
 - (a) the maximum ground coverage shall be 75% (60% in case the building is completely reconstructed) maximum FAR 150 and maximum height 12 m.
 - (b) Ground floor shall be allowed for light/service industry and retail outlet, First floor shall be allowed for residence/office and second floor, if any, shall be allowed only for residence.
 - (c) Mezzanine shall not be allowed.
 - (d) Basement to the maximum extent of ground coverage shall be allowed and shall be counted in FAR.
 - (e) Parking shall be developed on the prescribed standards at the cost of the beneficiaries.

23. On page 163 (LHS), under EXTENSIVE INDUSTRY (037), the maximum height of 6 m at Sl.No. 1 to 4 is replaced by 9m and 'other controls' are replaced by the following:

Other Controls:

- (i) Single storey building with basement is allowed. Basement shall be below the ground floor and the maximum extent of ground coverage shall be counted in FAR.
- (ii) Mezzanine floor shall not be allowed.
- (iii) In case of roof trusses height of buildings could be adjusted/relaxed.

24. On page 163, under GOVT. OFFICES, INTEGRATED OFFICE COMPLEX (065, 067, 068, 070), the max. ht. of 26 m is replaced by 37 m. and 'other controls' (ii) is replaced as under:

- (ii) Basement upto the building envelope line to the maximum extent of plot area shall be allowed and if use for parking and services should not be counted in FAR.

25. On page 163 (RHS), under HEALTH CENTRE/NURSINGHOME/073(074), the max. ht. of 14m is replaced by 15 m. and the provision of Basement is added as under:

"Basement shall be as in case of Hospital".

27. On page 163 (RHS), under NURSERY SCHOOL, max. ht. of 11 m. is replaced by 8m and provision of basement is added as under:

"Basement below the ground floor and to the maximum extent of ground coverage, and if constructed, shall be counted in FAR".

28. On page 163 (RHS), under PRIMARY SCHOOL (081), the max. ht. of 14m. is replaced by 15 m.

29. On page 163 (RHS), under SECONDARY SCHOOL/SENIOR SECONDARY SCHOOL/INTEGRATED SCHOOL/INTEGRATED RESIDENTIAL SCHOOL, (082, 083, 084 & 085), the max. ht. of 14 m. is replaced by 15 m.

30. On page 163 (RHS), under COLLEGE (086), the max. ht. of 14 m. is replaced by 15 m and Note is replaced as under:--

Note : (i) In case of premises 081 to 086 the total area of the plot shall be divided in (a) school/college building area (b) play field area (c) parking area (d) residential and hostel area in the proportion of the proportion of the area as given for such premises in the section on social infrastructure. The maximum ground coverage and FAR shall be calculated only on the areas meant for building activities i.e (a) & (d).

(ii) And if basement is provided the same is to be counted in FAR calculation.

31. On page 163 (RHS) under EDUCATION AND RESEARCH CENTRE, the following is added, after max floor area 'ratio'

Maximum height

26 m.

32. On page 164 (LHS), under AUDITORIUM/COMMUNITY HALL (099 & 101), the max. ht. of 14 m. is replaced by 20m. and 'other controls' is replaced as under:

Other Controls:

(i) Basement upto building envelope line to the maximum extent of 50 % of plot area shall be allowed and if used for parking and services should not be counted in FAR.

33. On page 164 (LHS), under RELIGIOUS PREMISES (107), max. ht. of 8m. is replaced by 11m. and the following note is added:

Basement below the ground floor and to the maximum extent of ground coverage, if constructed, shall be counted in FAR.

34. On page 164 (LHS), under POLICE POST, the following is added after max. height.

Basement below ground floor and to the maximum extent of ground coverage shall be allowed and if used for parking and services should not be counted in FAR.

35. On page 164 (LHS), under POLICE STATION/FIREPOST/FIRE STATION (110, 115 & 116) max. ht. of 14m. is replaced by 15m. and other controls (i) is replaced as under:

Other Controls:

(i) Basement upto envelope line and to the maximum extent of 50 % of the plot area shall be allowed and if used for parking & services should not be counted in FAR.

36. On page 164 (LHS), under POST & TELEGRAPH OFFICE/HPO (118 & 119), the max. ht. of 14m. is replaced by 15m. and 'other controls' is replaced by the following:

Other controls:

Basement upto envelope line and to the maximum extent of 50 % of the plot area shall be allowed and if used for parking and services should not be counted in FAR.

37. On page 164, under PUBLIC AND SEMI-PUBLIC PREMISES, 'other controls' (ii) is replaced by the following:

Basement upto envelope line and to the maximum extent of 50% of the plot area shall be allowed and if used for parking and services should not be counted in FAR.

38. On page 166 (LHS) under PROFESSIONAL ACTIVITY, the provision is replaced by the following:

The professional activity shall be allowed in residential plots/flats on any floor on the following condition:

"The resident of the premises shall be permitted to use part of his residence to the maximum of 25 % or 50sqm. whichever is less for a non-residential but non-nuisance activity which is for rendering services based on his professional skills. In case of residential plots any one floor may be used provided the whole premises is occupied by the same professional.

The trade and industrial activity (excluding household industry on ground floor to the maximum extent of 30 sq. m. shall not be permitted.

39. On page 149 (LHS) of the Gazette after clause 3(6), the following is added:

"3(7) Authority/Local Body(s) shall be empowered after levying penalty to compound deviations from limit of coverage/FAR to the extent of 5 % of the permissible coverage/FAR, subject to maximum 13.5 sqm. in building(s) premises at the time of considering the completion/occupancy certificate. This would not apply to buildings where 100% ground coverage and fixed height are allowed as per architectural controls, forming part of Comprehensive schemes, like district Centres, Community Centres, etc."

श्रम मंत्रालय

नई दिल्ली, 21 अप्रैल, 1995

का. अ. 1357.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक आफ इंडिया के प्रबंधन के संबंध नियोजनों और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचवट को प्रकाशित करती है जो केन्द्रीय सरकार को 20 अप्रैल, 1995 को प्राप्त हुआ था।

[सं. एल-12012/606/89-डी 2(ए)/आई आर (बी-2)]
बी. के. शर्मा, डेस्क अधिकारी

MINISTRY OF LABOUR

New Delhi, the 21st April, 1995

S.O. 1357.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Union Bank of India and their workmen, which was received by the Central Government on 20-4-95.

[No. L-12012/606/89-DIA/IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (MP)

Case Ref. No. CGITIL C(R)/(112)/1990

BETWEEN :

Shri N. K. Srivastava, Ex-Clerk, 229, Tilak Nagar, Indore (MP),

AND

New Delhi, the 21st April, 1995

The Asstt. General Manager, Union Bank of India, Zonal Office, Gangotri Complex, Bhadwatha Road, Bhopal (MP).

Presided in : By Shri Arvind Kumar Awasthy.

APPEARANCES :

For Workman.—None.

For Management.—Shri S. K. Rao, Advocate.

INDUSTRY : Banking.

DISTRICT : Bhopal (MP).

AWARD

Dated, March, 1995

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No L-12012/606/89-D-2-A dated 16th April, 1990, for adjudication of the following industrial dispute :—

SCHEDULE

"Whether the action of the Asst. General Manager, Union Bank of India, Bhopal in dismissing the services of Shri N. K. Srivastava, Ex-Clerk-cum-Cashier, is justified or not? If not, to what relief the workman is entitled and from which date?"

2. The case of the management is that on 16-4-84 with an intention to cheat and to play fraud with the Bank removed the D.R.C. Form from the DRC block and unauthorisedly withdrew the amount of Rs. 3087.50 and retained the cash with upto 17-4-84; that the departmental enquiry was initiated against the workman and he was dismissed from the service as the charges levelled against him were proved in the domestic enquiry.

3. The workman has alleged in the statement of claim that there was serious violation of the principles of natural justice during the domestic enquiry; that charges levelled against him are false and that the order of dismissal is improper, unjustified and illegal. He is entitled for reinstatement with back wages.

4. The workman sent the statement of claim by post on 25-6-90 to the Tribunal and since then in last five years the workman has not turned up in person or the service of several notices sent by the Tribunal; that the workman has not even taken care to receive the copy of the statement filed by the management. It is clear that the workman is not interested in pursuing the matter. No dispute award is therefore passed. No order as to costs.

ARVIND KUMAR AWASTHY, Presiding Officer

नई दिल्ली, 21 अप्रैल, 1995

का. आ. 1358.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सैन्ट्रल बैंक आफ इंडिया के प्रबन्धन के संबंध में निम्नलिखित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्या एल 12012/232/94 आई. आर. (बी. 2)]

बी. के. शर्मा, डेस्क अधिकारी

S.O. 1358.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 21-4-95.

[No. L-12012/232/94-IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
CUM-LABOUR COURT PANDU NAGAR DEOKI

PALACE ROAD KANPUR

Industrial Dispute No. 105 of 1994

In the matter of dispute between :

The General Secretary,
Central Bank Employees Congress,
U. P. MIG C-1241 Rajajipuram,
Lucknow.

AND

Dy. General Manager,
Central Bank of India,
Zonal Office,
23 Vidhan Sabha Marg,
Lucknow.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-12012/232/94-LR. B-2 dt. 7-2-94, has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Central Bank of India, Lucknow in not regularising and terminating the services of Sri Rajesh Kumar, Driver at Regional Office, Varanasi w.e.f. 1-7-93, is justified? If not, what relief is the said workman entitled to?

2. On receipt of the reference order from the Ministry by this Tribunal, notices were issued to the parties fixing 2-2-95 and 31-3-95 for filing the statement of claim on 21-12-94 and on 16-2-95 but neither the Union nor the workman turned up nor filed their statement of claim. As against it on 31-3-95 Sri D. D. Tiwari authorised representative for the management appeared in the case.

3. I may make it clear that the Ministry of Labour vide its order dt. 7-12-94 has also endorsed a copy of it to the concerned parties with a clear direction that the party raising dispute shall file a statement of claim complete with relevant documents, list of reliance and witnesses with the Tribunal within 15 days of the receipt of the said order and also forward a copy of such statement to each one of the opposite parties involved in the case.

4. It is abundantly clear that the Union despite availing of sufficient opportunity have failed to comply with the direction of the Tribunal in respect of filing of their statement of claim. The conduct of the Union, therefore, clearly shows that it is not interested in prosecuting the reference or its case. There is no option left with the Tribunal but to hold that neither the Union nor the workman is interested in prosecuting the case. In these circumstances the question of relief does not arise.

5. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली 21 अप्रैल 1995

का. आ. 1359—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 21 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्याएल 12012/130/94 आई आर (बी 2)]
बी. के. शर्मा डेस्क अधिकारी

New Delhi, the 21st April, 1995

S.O. 1359.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 21-4-95.

[No. L-12012/130/94-IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT PANDU NAGAR DEOKI
PALACE ROAD KANPUR

Industrial Dispute No. 68 of 1994

In the matter of dispute between :—

Secretary,
Central Bank Workers Organisation,
B-12 Indrapuri,
New Agra

AND

Regional Manager,
Central Bank of India,
Belanganj Agra.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-12012/130/94-I.R. B-2 dt. 11-8-94 has referred the following dispute for adjudication to this Tribunal :—

Whether the action of the management of Central Bank of India, Agra in terminating the services of Sri K. L. Sharma, Driver w.e.f. 1-4-93 and not considering him for appointment as Driver cum peon is legal and justified? If not, what relief is Sri Sharma entitled to?

2. In the instant case despite issuance of notices repeatedly to the Union for filing of the statement of claim in support of their case, neither the Union nor any one on its behalf attended the proceedings before this Tribunal. As against it the management appeared on 31-3-95. It therefore appears that neither the Union nor any one on its behalf is interested to prosecute the reference.

3. I may make it clear that the copy of the reference order was also endorsed 11-8-94 to the Union raising the present dispute under registered post with the direction that it may file its case, list of documents relied upon in support of its case and witnesses etc., within 15 days from the receipt of the reference order, by the Ministry of Labour, New Delhi before the Tribunal. But despite that the Union did not turn up to press the present reference before the Tribunal.

4. Thus from the facts and circumstances stated above it stands clear that the Union is not interested in the present reference. As such it is held that Sri K. L. Sharma, to entitled to no relief.

5. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली 21 अप्रैल, 1995

का. आ. 1360—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निश्चित औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, 2 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 20 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्याएल-12012/47/86/डी 4ए/आईआर (बी. 2)]
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 21st April, 1995

S.O. 1360.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, 2 Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 20-4-1995.

[No. L-12012/47/86-D.IV (A)/IR (B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL NO. 2, BOMBAY

PRESENT :

Shri S. B. Panse, Presiding Officer.

Reference No. CGIT-2/21 of 1987

Employers in relation to the management of Punjab National Bank

AND

Their Workmen.

APPEARANCES :

For the Employers—Mr. S. K. Talsania, Advocate.

For the Workmen—Mr. B. W. Vaidya, Advocate.
Bombay, the 28th March, 1995

AWARD PART II

On 28-9-89 my Learned Predecessor answered issues 1 and 2 in the affirmative. The result is that the management was given an opportunity to lead evidence to prove that the action that was taken by it against the workman is justified. Now the issues which are to be answered in this award and my findings thereon are as follows :—

ISSUES

FINDINGS

3. Whether the action of the management of Punjab National Bank, Bombay in awarding the punishment of dismissal from service in respect of Shri Rocky Rebello clerk-typist of Napean Sea Road Branch, Bombay w.e.f. 30-10-1985 is justified? No

4. If not, to what relief the workman is entitled? As per order below

5. What Award? As per order below

REASONS

2. Shri S. S. Bhandari (Exh. 12) the Senior Manager of Punjab National Bank examined himself to support the case. As against that Rocky Rebello (Exh. 20) the workmen lead evidence. Except this there is no oral evidence on behalf of both the parties. They relied on all the documents on the record. They also relied on the proceedings in respect of the enquiries held against Apte, Fernandes and Verma (purshis Exh. 18).

3. The workman joined the services of the Punjab National Bank somewhere in 1980. He was working at the SEEPZ Branch.

4. On August 2, 1984 a chargesheet was issued to the workman levelling eleven charges against him which relate to gross misconduct. The first charge is in respect of the misappropriation. The remaining charges deal with preparing of vouchers unauthorisedly, having no authority fixing the amount in the account at a later date, preparing fictitious debit vouchers, preparing demand loan entries, preparing demand loan vouchers on wrong date etc. The workman was asked to give his explanation to the said charges which he did. The Enquiry Officer was appointed and a departmental enquiry was held against him. He was found guilty and was dismissed from service.

5. The Learned Advocate for the employee argued that the workman was not at fault at all. He acted on the directions of Apte, Fernandes and Verma who were his Officers. He also argued at the departmental enquiry which were held against all should have been clubbed together. In that case the gross misconduct committed by each of them could have come on the record and could have been proved.

6. It is not in dispute that before the chargesheet was issued to the workman, the Manager of SEEPZ branch wrote a letter dated 19-11-83 calling upon him to explain the irregularities which are alleged to have been committed by them from 13-5-82. The workman replied that letter on 30-1-84. In the said letter he contended that "Whatever vouchers were prepared, entries were made in the books, ledgers etc. were done at the instructions/orders of the Branch Manager Shri Apte, Accountant Fernandes and both of them signed on the vouchers books, ledgers etc. with all other relevant records relating to alleged irregularities completely absorbing him from the consequences of burden of irregularities.

7. On 17-5-84, the Regional Manager called his explanation in respect of certain credit refund in that letter and again the employee had replied on June 13, 1984. He had taken the same stand in this letter also. It is pertinent to note that when he received the chargesheet he reiterated his stand which he took in the earlier two letters. To substantiate this submission he produced two letters written by Mr. Apte the Chief Branch Manager to the workman which the Enquiry Officer Ahluwalia was given. In the first letter which is dated 16-5-84 Apte informed the workman that the cash voucher and the slips which were prepared by him in respect of the amount of Rs. 9,900 and Rs. 6,500 in the account of Shri Satish was done at his instance. By that letter he informed the Enquiry Officer that the word collusion which is used in the Enquiry Proceeding which was held against the workman are not proper. He had further informed that the Clerk has obeyed his instruction and carried out the same. He had further mentioned that the workman had nothing to do with the proceedings except prepares the vouchers directed by him. On these two letters it is rightly argued by Mr. Vaidya the Learned Advocate for the workman that the vouchers of different types were prepared by the employee at the instance of the Apte. Rocky Rebello had affirmed to this effect. He had further stated that the other two Officers namely Fernandes and Verma were also directing him to prepare vouchers and make different entries in different books. In fact, there is no cross-examination of Rocky on this point. Therefore it is to be said that whatever is affirmed by Rocky is correct. So far as Bhandari is concerned he had affirmed on the basis of the documents on the record and he has no personal knowledge. He could not affirm that Apte, Fernandes or Verma had not given

any directions to Rocky for preparation of vouchers or making different entries as alleged.

8. The workman accepted that the amount of Rs. 4,000 which was deposited in his account by two vouchers namely Rs. 1,500 and Rs. 2,500 was not belonging to him but it was the Bank's money. He had affirmed that the amount was deposited in his account at the instruction of the Manager. That money is not of a private party but of a different party. That money is called as marginal money in the Bank. It is not in dispute that these vouchers are counter signed by the Officers. Rocky affirmed that the money was deposited in his account to adjust the cash credit accounts of Mrs. Shevle and P. P. Thakkar. That money which was utilised was also not belonging to these parties. With this Rocky has affirmed this fact that nobody from the Bank side has come before the Tribunal to deny it. In fact, the evidence of Bhandari on this point is not sufficient. It is because, there is an allegation by Mr. Rocky Rebello the employee against Apte, Fernandes and Verma the then Officers. Now Apte is not in service but so far as his other two officers are concerned there are minor punishments awarded to them and they are in service. If really what is affirmed by Rocky is not true then the management should have examined these two persons for denying the same. In other words to prove the charge of misappropriation and other charges which were answered in the examination the other Officer against whom the allegations are made. It can be further seen that out of these amounts the amount was withdrawn by Fernandes by two different vouchers. A charge is levelled against him to that effect. It appears to me that he could do so only because the account of the employee was used for adjustment as directed by the then Manager.

9. It is not necessary to go into the detail of each and every charges which are levelled against the employee. It is because his explanation for all these charges is that he did so as per the directions of the Officers. Now it has to be seen whether this explanation is acceptable and if acceptable whether the punishment awarded to the workman is justified. Admittedly all these acts have taken place within two years after joining the service. When he joined the service he was only a matriculate. It is difficult to accept how such a person could be in a position to play such mischiefs. It is a common knowledge that after getting a new employment the person concerned at initial stage always sees that his superiors are pleased with his work and the workman had affirmed that he had done so as he was directed by his Officers including Apte. He had further affirmed that when he made a query why only in his account then it was told to him that the Branch Manager being an income tax payer it cannot be done in his account and for adjustment there should not be any direct transactions so his account has to be used. This explanation is acceptable but when he found some irregularities like this then he should have informed the Superiors regarding the same which he had not done. Here in this case his Superior Mr. Apte and the others were held guilty under the departmental enquiry and were punished. So far as Apte is concerned, his services were terminated and the other two officers were given minor punishment. It is not to be submitted that this employee is given a major punishment of dismissal because he had committed all those gross misconducts. I am not inclined to accept that, the workman had done some misappropriation of the Bank's money. No doubt he had done irregularities. It can be further seen that the action of the workman appears to be that doing anything what is said by the Manager. It cannot be forgotten that he is the employee of the Bank where the public money is kept under a trust. There are always cheques and counter cheques of the transaction of the Bank. It is because if any flaw is detected then he has to inform to the Superiors regarding the same. Here in this case when the workman came to know regarding the flaws he was expected to take a note of the same and inform it to his Superiors which he did not do. This itself warrants the punishment. Even if it is accepted that all the acts done by the employee are done on the directions of the Officers he cannot be exonerated from punishment. Looking to the series of charges in comparison with the charges of the other two employees to whom the minor punishment is awarded the punishment of dismissal awarded to the workman is very harsh. He is not in the service but it is admitted position that he got himself educated. It is not in dispute that after

the dismissal he passed the B.Com. and M.Com. and now taking classes. He earns Rs. 2,800 per month. It is not that he is earning this amount from the beginning. From when he is earning this amount has not come on the record. I therefore find that the punishment of not granting any back wages to the workman will suffice the purpose.

10. Section 11-A of the Industrial Disputes Act deals with the powers of the Tribunal to give appropriate relief in case of discharge or dismissal of the workman. Using the power in this section I am awarding the different punishments as given below :

ORDER

1. The action of the management of Punjab National Bank, Bombay in awarding the punishment of dismissal from service in respect of Shri Rocky Rebello, clerk-typist of Napean Sea Branch, Bombay w.e.f. 30-10-1985 is not justified.
2. The management is directed to reinstate the workman at his original post within one month from today.
3. The management is directed to give the employee continuity in service and appropriate promotions if any.
4. The employee is not entitled to any back wages.
5. No order as to costs.

S. B. PANSE, Presiding Officer

नई दिल्ली, 24 अप्रैल, 1995

का. प्रा. 1361—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निर्विद्वत् औद्योगिक विवाद में, केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचवट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24 अप्रैल, 1995 को प्राप्त हुआ था :

[संख्या एल-12012/375/88/डी 2 ए-आई/अर बी-2]
वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 24th April, 1995

S.O. 1361.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workmen, which was received by the Central Government on 24-4-1995.

{No. L-12012/375/88-D.II (A)/IR (B-ID)}
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, DEOKI
PALACE ROAD, KANPUR

Industrial Dispute No. 159 of 1988

In the matter of dispute :

BETWEEN

Sri Narain Singh
C/o Sri V. N. Sekhari
26/104 Birhana Road.
Kanpur.

AND

Regional Manager
Punjab National Bank
Kutheri Road,
Jhansi.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-12012/375/88-D.II (A) dated 18-11-88, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Punjab National Bank in dismissing Sri Narain Singh peon-cum-guard from service is justified? If not to what relief the concerned workman is entitled?

2. Following facts which have given rise to above reference are not in dispute—

The concerned workman Narain Singh was appointed as peon-cum-guard with the management Punjab National Bank on 4-4-79. While he was posted in Grantha branch of the bank, on 26-11-83, F.I.R. was alleged against him by the branch manager that on the said date the workman had come to office late, hence he was prevented from putting his signature on the attendance register. The concerned workman got infuriated and in a fit of rage he assaulted the branch manager by Iron Rod causing him grievous hurt. He was tried in the Court of Munsif Magistrate, Jhansi, u/s 332 I.P.C. Ultimately he was convicted by judgment and order dated 12-6-85 under Sections 323, 504 and 506 I.P.C. and was sentenced to undergo R.I. one year. He preferred criminal appeal No. 145/88. During the course of hearing of appeal before the learned Sessions Judge, the concerned workman had not contested the same on merits. Instead on the plea that he has already been dismissed sought mercy on the question of sentence. It was in this context that the learned Sessions Judge in lieu of sentence enlarged him under First Offenders Act for keeping good behaviour. After the conviction of the concerned workman by Munsif Magistrate, Jhansi, on 12-3-88 the management by order dated 17-6-85 in exercise of powers under para 19.3. (b) of the First Bipartite Settlement passed an order of dismissal of the concerned workman w.e.f. the date of conviction. An appeal was preferred by the concerned workman which too was dismissed on 6-8-87. Thereafter, the present reference was claimed.

3. In this written statement the concerned workman has alleged that since the concerned workman was released on probation, his conviction would not carry any disqualification u/s 12 of Probation of Offenders Act. As such provisions of para 19.3 (b) of the First Bipartite Settlement could not be invoked. Apart from this it was also alleged that the offence for which the concerned workman was convicted did not involve moral turpitude. As such provisions of para 19.3 (b) of the Bipartite Settlement were wrongly invoked. It was also alleged that during the pendency of criminal appeal No. 14 of 85 he could not be dismissed from service. It was further alleged that other official who were given benefit of Probation were not saged. In this way the management has made discrimination. Lastly, it was alleged that in any case the punishment meted out to the concerned workman is highly excessive and disproportionate to the alleged misconduct.

4. The management in their written statement have denied the validity of above mentioned objections.

5. None of the parties have adduced any evidence. I have heard both sides and have gone through the record.

6. There is no proof worth the name on record that any other official of the management was convicted and given benefit of probation who might have later on not dismissed from bank's service. As such this plea of the concerned workman is to be rejected for want of proof.

7. It has also been alleged that since the concerned workman has preferred criminal appeal No. 145 of 85 and which was pending, it was not open to the management to have

passed order of dismissal as appeal is in continuance of original proceedings. It may be true but, in my opinion, pending of appeal is not a bar to exercise powers under para 19.3 (b) of the Bipartite Settlement if after passing of the dismissal order appeal is allowed, it could be open to workman to apply for reinstatement.

8. It has also been submitted by the representative of the workman by referring Section 12 of the Probation of Offenders Act, that when the Sessions Court had released the concerned workman on probation, all disqualification attached with the conviction will fade out u/s 12 of the Act. In support of his contention he has referred to a case *Aitha Chander Rao Versus State of Andhra Pradesh* 1981 Supp. SCC, (636). This ruling does not lay down any general proposition of law. Instead it was decided on the facts and circumstances of the case. Hon'ble Supreme Court in exercise of their power had added that under the facts and circumstances of the case the conviction will not carry any disqualification.

9. Hence, in my opinion, passing of dismissal order during the pendency of appeal will not vitiate it.

10. In the next place it has been submitted by the representative of the concerned workman that the offence for which the concerned workman has been convicted does not involve moral turpitude. That conduct is regarded as moral which conforms to generally accepted rules which society recognises should govern everyone in his social and commercial relations with others regardless of whether these rights are unenforceable as legal obligation. What is moral must be ascertained in context of time and the society in which the question is posed. The word "turpitude" involves within its fold baseness, villainy, depravity in the private and social duties which man owes to his fellowmen or to the society in general or something contrary to accepted rules or right and duty between man and man.

11. Taking into consideration the above meaning of moral turpitude I have no manner of doubt that the act of concerned workman in assaulting branch manager during office hours involves moral turpitude. Consequently, I do not agree with the submission of representative of the concerned workman that the offence for which the concerned workman has been convicted does not involve moral turpitude. In this way the management was perfectly within their rights to exercise the powers under para 19.3 (b) of the Bipartite Settlement. In view of above provisions there was also no need to hold domestic enquiry before dismissal.

12. It has also been submitted by the representative of the workman by referring Section 12 of the Probation of Offenders Act, that when the Session Court had released the concerned workman on probation, all disqualification attached with the conviction will fade out u/s 12 of the Act.

13. In support of his contention he has referred to a case *Aitha Chander Rao Versus State of Andhra Pradesh* 1981 Suppl. S.C.C. 17(637). This ruling does not lay down any general proposition of law. Instead it was decided on the facts and circumstances of the case. Hon'ble Supreme Court in exercise of their power had added that under the facts and circumstances of the case the conviction will not carry any disqualification.

14. On the other hand, the management has referred the case of *Shanker Dass Versus Union of India* and another AIR 1985 SC 772. This case has direct bearing on the case. Hon'ble Supreme Court had occasion to decide amplitude of Section 12 of Probation of Offenders Act. It was specifically observed that the order of dismissal from service consequent upon a conviction is not "disqualification" within the meaning of Section 12 of Probation of Offenders Act. In view of this interpretation no manner of doubt is left that the concerned workman is not entitled to benefit of Section 12 of Probation of Offenders Act. Hence, this contention is also overruled.

15. Lastly the question of punishment may be considered. It has been found that the workman has assaulted the branch manager of the bank during office hours without provocation. In my opinion, this is the highest type of arrogance and indiscipline which calls for severest type of possible punishment. In such case lenience is not to be shown at all. Hence,

1077 GI/95--12.

I am of the opinion that punishing authority had not erred in any way in imposing punishment. Rather under the facts and circumstances, of the case it was quite in proportion with the gravity of misconduct.

16. In the end it is held that the action of the management of Punjab Notional Bank in dismissing the concerned workman from service was justified, consequently he is not entitled for any relief.

17. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 24 अप्रैल, 1995

का. अ. 1362—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक आफ बड़ौदा के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवादों में औद्योगिक अधिकरण बड़ौदा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24 अप्रैल 1995 को प्राप्त हुआ था।

[सं. एल-12012/227/94-आई आर (बी.2)]
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 24th April, 1995

S.O. 1362.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Baroda as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 24-4-1995.

[No. L-12012/227/94-IR(B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SHRI A. B. MARATHE, INDUSTRIAL
TRIBUNAL (CENTRAL) VADODARA

Reference ITC No. 4 of 1994

Manager,
Bank of Baroda,
Corwa Branch,
Baroda-390016.

V/s.

Ayub N. Sheikh,
C/o Rajya General Kamdar Mandal,
B-109, Anand Plaza Complex,
Near Rupam Cinema,

Harni Road, Baroda

...Second Party.

Shri M. S. Mansuri and Smt. Hinaben Desai—learned
advocates for the second party.

First-Party—Ex-parte

AWARD

(1) The first party as an employer is a nationalised Bank. The second party worked as a workman in the said bank during the years 1986 to 1988. He was appointed as a peon in the said bank through employment exchange on a permanent basis with effect from 12-11-1991. The first party Bank was paying him Rs. 58 per day including everything. He worked in the Bank for 505 days continuously without any break. However, the Bank terminated his service with effect from 21-7-1993 without any notice. Therefore, the workman raised an industrial dispute that inasmuch as he had worked for more than 240 days in a year the said

termination was in violation of Sections 25F and/or Section 25N of the Industrial Disputes Act, 1947. Therefore, the Ministry of Labour, Government of India by order No. 12012/1227/94 dated 15-11-94 referred the following issue for adjudication to this Tribunal :—

"Whether the action of the management of the Bank of Baroda, Baroda in terminating the services of Shri Ayyub N. Shaikh, peon w.e.f. July 1993 is legal and justified? If not, to what relief is the said workman entitled?"

(2) The second party workman filed the statement of claim at Ex. 2 on 13-1-94 and pleaded the above facts and prayed the relief on re-instatement in service with back wages.

(3) The notice of this reference was duly served on the First Party Bank on 22-12-94 and they were supposed to appear before this Tribunal on 30-12-94. On 30-12-94 nobody appeared on behalf of the Bank, and, therefore, the second party by application Ex. 4 requested to proceed against the Bank ex-parte. Yet the matter was adjourned to 7-2-94. On 7-2-94 also nobody appeared on behalf of the Bank and, therefore, the reference is ordered to proceed ex-parte.

(4) It appears during the conciliation proceedings before the Assistant Commissioner of Labour (Central) at Ahmedabad the Bank had taken a stand that the workman was only working as a 'daily wager' and was never recruited on a permanent vacancy as a peon. The workman has produced at Ex. 5/1 a copy of a writing from the Bank to this effect together with a statement showing that the workman had worked for 502 days in the Bank beginning from November 1991 ending in July 1993 and that payments were made to him by cash vouchers. The workman to prove his case has also examined himself on oath at Ex. 6. There is no cross-examination as the matter proceeds ex-parte.

(5) I have heard the arguments of Smt. Hinaben Desai, the learned representative of the second party.

(6) The workman has said on oath that he worked continuously for 502 days in the Bank from November 1991 to July 1993. He has also said that prior to that period he had served for about 80 days in the years 1986 to 1988. His grievance is that no notice or any compensation was given to him before terminating the service. He has expressed his willingness to resume work. He is unemployed at present.

(7) The term 'retrenchment' is defined to mean the following in the I. D. Act Sec. 2(oo) :—

"2(oo) "retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include :

- (a) voluntary retirement of the workman ; or
- (b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf ; or
- (bb) termination of the service of the workman as a result of the non-renewal of the contract of employment between the employer and the workman concerned on its expiry or of such contract being terminated under a stipulation in that behalf contained therein ; or
- (c) termination of the service of a workman on the ground of continued ill-health."

Judicial notice can be taken of the fact that the first party Bank employs more than 100 workmen. Therefore, properly speaking the provisions of Chapter V-B of the I. D. Act are applicable to the facts of this case which includes Sec. 25-N. Sub-sec. (1) of this Section is to the following effect :—

"25-N. Conditions precedent to Retrenchment of workmen :—

- (1) No workman employed in any industrial establishment to which this Chapter applies, who has been in continuous service for not less than one

year under an employer shall be retrenched by that employer until—

- (a) The workman has been given three months' notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid, in lieu of such notice, wages for the period of the notice; and
- (b) The prior permission of the appropriate Government, or such authority as may be specified by that Government by Notification in the Official Gazette (hereinafter in this section referred to as the specified authority) has been obtained on an application made in this behalf."

From the record before me it appears that the stand of the Bank is that merely because the workman was a daily wage earner, he could be hired and easily fired out. They do not seem to have bothered to know the above salutary principles of law. Therefore, the answer to this reference has got to be that the termination of service of the workman is illegal and unjustified and that he is entitled to be re-instated in service with back wages. Therefore, the following order is passed :—

ORDER

The first party Bank is hereby directed to re-instate the second party workman in service immediately on publication of this award and they are further directed to pay him back wages from the date of termination of his service till the date of re-instatement within three months from the date of publication of this award.

No order as to cost.

DT : 10th April, 1995.

A. B. MARATHE, Industrial Tribunal

नई दिल्ली, 24 अप्रैल, 1995

का.प्र. 1363.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच प्रबन्ध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचद को प्रकाशित करती है जो केन्द्रीय सरकार को 24 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्या एल 17012/12/91 आई आर (बी-2)]
वी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 24th April, 1995

S.O. 1363.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of LIC of India and their workmen, which was received by the Central Government on 24-4-1995.

[No. I-17012/12/91-IR (B-II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 112 of 1991

In the matter of dispute :

BETWEEN

Secretary,

Agra Division Insurance
Workers Organisation, through
Shri V. K. Gupta, 2/363 Namnair,
Agra. Applicant

AND

Senior Divisional Manager,
Life Insurance Corporation of India,
Sanjay Palace,
Agra Employer

AWARD

1. The Central Government, Ministry of Labour, vide its Notification No. L-17012/12/91-IR (B-II) dated 26-7-91, has referred the following dispute for adjudication to this Tribunal :—

"Whether the action of the management of Life Insurance Corporation was justified in imposing the penalty of reduction in the Basic Pay of Shri Mohd. Mustaq, Record Clerk by four stages in terms of regulation 39(1)(d) of the LIC of India Staff Regulation 1960 ? If not, to what relief is the workman entitled ?"

2. The concerned workman Mohd. Mustaq was record clerk of Branch Office at Firozabad. On 8-5-86, he is alleged to have committed two acts of misconducts for which he was charged on 20-11-86 as under—

1. That while working at Branch Office, Firozabad on 8-5-86, you came to branch office, Firozabad at about 10.15 a.m., and you went to the seat of Sri C. P. Jain, Assistant Branch Manager (Admn.) in the office to mark your attendance in the attendance register which was lying at the table of Sri C. P. Jain, Assistant Branch Manager (Admn.) On your finding from the attendance register that you have already been marked late in the said attendance register you removed the attendance register from the table of Sri C. P. Jain, Asstt. Branch Manager (Admn.) and fled the office with the attendance register with mala fide intention and ulterior motive to destroy official attendance records which contained your late comings, absence and also leave availed of by you, so that in the absence of the same you could make wrongful claim on the above counts and benefit therefrom.

That after realising the consequences of your afore-said act you managed or caused to have managed to throw the said attendance register in the cabin of the branch manager, Firozabad from the window of the cabin which window was easily approachable from the side gallery and you abstained from duty on that day.

3. Sri N. K. Jain, O.S. Divisional Office, Bareilly was appointed as Enquiry Officer. After calling for the reply of the concerned workman and after recording evidence of the employer, Enquiry Officer submitted his report on 19-8-87, finding him guilty on both the counts. A show cause notice dated 5-12-87, was issued to him on the basis of which he was awarded the punishment of reduction by 4 stages in time scale applicable to him in terms of Regulation 39(1)(d) of the Life Insurance Corporation of India Staff Regulation 1963. Feeling aggrieved the concerned workman raised the present industrial dispute.

4. In his written statement, it has been alleged that findings of the enquiry officer are perverse. Further punishment is disproportionate to alleged misconduct.

5. On the other hand, employer in its written statement has alleged that enquiry was held properly and fairly and the findings are not perverse. Further the punishment is not excessive looking to the gravity of misconduct.

6. On 23-3-95, from the side of workman a statement was made to the effect that validity of domestic enquiry was not challenged because of procedural lapse. Only objection of the workman is that the findings of the Enquiry Officer are perverse. It was on the basis of this statement that the above mentioned preliminary issue was framed.

7. The employer had filed 8 papers regarding domestic enquiry. Affidavit of the concerned workman was filed but no one turned up to cross examine him. Further the employer did not adduce any evidence. Although they had applied for adjournments.

8. For determining the perversity of findings of the Enquiry Officer, it will be necessary to recite the evidence which was before the Enquiry Officer.

9. First of all before the Enquiry Officer the evidence of Ram Babu Section Head was adduced. He was posted in the branch office at Firozabad. He had stated that he had seen Mushtaq Ahmad taking away the attendance register from the table of C. P. Jain. In his cross examination he has stated that he could identify this register by its colour. That register was also filed before the Enquiry Officer. This witness has no axe to grind against the concerned workman.

10. C. P. Jain, was Assistant Branch Manager (Admn.) at Firozabad at that time. His evidence is not material as the register was not removed in his presence. At that time he claims to have been sitting in the chamber of the Branch Manager where he was informed by Section Head. As such his evidence is not material, being hearsay.

11. G. P. Gahoi has stated that C. P. Jain ABM(A) had informed him about the act of the concerned workman having taken away the attendance register. It was later on thrown by some in his cabin. Actually he had not seen the person who had thrown the attendance register in his cabin.

12. J. K. Mathur is Assistant in Firozabad Branch. He has stated that on 8-5-86, Mushtaq had come to office at 10.15 a.m. He had seen him. But he had not seen the delinquent removing the attendance register from the room of C. P. Jain. Thus at best his evidence proves the presence of delinquent in the office on 8-5-86.

13. I. N. Mullick the Manager Personnel and Industrial Relations had held enquiry in this episode. His evidence is that during the course of enquiry Mohd. Mushtaq had admitted his guilt. The concerned workman was asked to adduce evidence in defence to show that actually on 8-5-86 he had not come in the office as he was ill, but he did not adduce any evidence.

14. From the above review of the oral evidence which was adduced before the Enquiry Officer, it emerges out that atleast there is direct evidence of Ram Babu Section Head to prove that Mohd. Mushtaq had removed attendance register on 8-5-86. His evidence gets corroboration from the evidence of J. K. Mathur, regarding presence of the delinquent. There is no rebuttal of this evidence. On its absence I have no hesitation in holding that the enquiry officer was fully justified in believing the un rebutted evidence of the employer and on the basis of such evidence the finding regarding removal of register by the delinquent as correct and consequently not perverse.

15. I am further of the view that the findings of the Enquiry Officer regarding the second charge of misconduct is also not perverse. Once having found that the delinquent had removed the attendance register the only conclusion one can draw is that it would have been this person who would have thrown the attendance register in the cabin of the branch office. However I am of the view that throwing that register does not amount to any type of misconduct. Hence, the charged person could not have been punished on this count.

16. From the above discussion it is found that the findings of Enquiry Officer as far as charge No 1 is concerned is not perverse. The findings of Enquiry Officer on charge No. 2 is also correct but it does not constitute any misconduct.

17. I have gone through the submissions of the parties on the question of punishment. It has been that charge No. 2 does not amount to any misconduct. The punishment has been awarded in respect of both the charges.

18. Now the ends of justice requires that in view of one charge having not been found to be misconduct the consequent punishment also needs to be reduced. I am further

of the view that taking into consideration the nature of misconduct of taking away of attendance register unauthorisedly, the imposition of punishment withholding of 4 increments is highly disproportionate with the misconduct. The ends of justice would be sufficiently met if the punishment is reduced to withholding of one stage. In this way the order of punishment of the management is amended as under,—

I accordingly hereby order that the penalty of reduction by one stage in the time scale applicable to Sri Mohd. Mustaq be and is hereby imposed upon him in terms of Regulation 39(1)(d) of the Life Insurance Corporation of India (Staff) Regulations, 1960, with immediate effect.

Hence my answer to the first part of the reference is in the negative and the concerned workman will be entitled for relief as ordered above.

19. Costs of the case at Rs. 200 shall be pay by the management to the concerned workman.

20. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 24 अप्रैल, 1995

का. प्र. 1364.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार U.P. Mandal (Dak Ghar) Purva Upmandal के प्रबंधक के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के मंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्या एल/40012/147/90 आई प्रार डी यू]
के. वी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 24th April, 1995

S.O. 1364.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of U. P. Mandal Dak Ghar Purva Upmandal and their workmen, which was received by the Central Government on 24th April, 1995.

[No. L-40012/147/90-IR (DU)]
K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
TUM-LABOUR COURT, PANDU NAGAR
DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 65 of 91

In the matter of dispute between:
Sri Alakh Prakash Khare,
C/o Sri Ghan Shyam Das Khare,
FCL Elite Talkies ke Upar,
Jhansi.

AND

UP Mandal Nirikshak,

(Dak Ghar) Purva Upmandal,
Jhansi.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-40012/147/90-I.R. (D.U.), dated

19th April, 1991, has referred the following dispute for adjudication to this Tribunal:

Kya Upmandal Nirikshak (Dak Ghar), Jhansi द्वारा श्री Alakh Prakash Khare, Bhootpurva EDMP Gariya Gaon Jhansi को दिनांक 1st February, 1989 से निश-कशित करने की क्यारवाही न्यायचित है? यदि नहीं, तो संबर्द्धित कर्मकार किस अनुतोष का हाज़र है?

2. For catering the postal needs of rural community in India, the Department of Post & Telegraph has made provisions for appointment of Extra Departmental Agents, who performed their duty for 5 hours a day. In this connection Extra Departmental Agents Conduct & Service Rules, 1964 have also been framed. There are 13 categories of post, who are known as Extra Departmental Agents. One of them is Extra Departmental Mail Peon (hereinafter referred to as EDMP). Rule 11 of this rule makes provisions for provisional appointment of Extra Departmental Agent. Sub-Rule (3) of this Rule read as under—

"Efforts should be made to give alternate employment of ED Agents who are appointed provisionally and subsequently discharged from service due to administrative reasons, if at the time of discharge they had put in not less than three years service in such cases their names should be included in the waiting list of ED Agents discharged from service."

3. The case of the concerned workman Alakh Prakash Khare is that he was appointed by the employer on 10th February, 1986 under above Rule 11(3) as EDMP in Gariya Gaon of District Jhansi in place of Mahesh Prasad who was put off in connection with criminal mis-appropriation of money. Later on after trial Mahesh Prasad was dismissed from service as he was convicted in criminal case. It is alleged that under rule 11(3) the employee can be deprived of the job only when the person who has been put of his reinstatement. Since Mahesh Prasad was not reinstated, the services of the concerned workman could not be terminated under the above provisions by order dated 27th January, 1989. As such it is illegal. Apart from this, it has been alleged that there are five other workmen placed in the similar circumstances and their services have not been dispensed with. In this way there is hostile discrimination. In these circumstances, the termination order of the concerned workman is illegal.

3. The employer in their written statement has alleged that after the termination of Mahesh Prasad by order dated 13th June, 1988 the concerned workman could not be continued in service without the order of Divisional Superintendent of the Post Offices. Since the Divisional Superintendent, has directed that the services of the concerned workman may be dispensed with, accordingly his services were terminated. There was no illegality in it. It was not disputed that the concerned workman was appointed on 10th February, 1986.

4. In the rejoinder no new plea has been alleged.

5. In support of his case the concerned workman filed his affidavit as Alakh Prasad Khare. Further alongwith his affidavit he has filed 9 papers. In rebuttal the department filed the affidavit of R. P. Singh, Inspector of Post Offices Jhansi, who also filed six papers.

6. In this case the first point which requires consideration is as to whether the services of the concerned workman could be terminated under Rule 11(3) which has been quoted earlier.

7. Before considering this provision of the above Rule, it may be mentioned that it is common ground that the concerned workman was appointed as EDMP in place of Mahesh Prasad on 10th February, 1986 and he had continued on this job when his services were dispensed with. A careful perusal of provision of rule 11(3) would go to reveal that the services of such workman can be terminated only when the person who has been put of duty has been reinstated. In other words termination of the previous employee is condition precedent for invoking the above provisions. In the instant case it is common ground that Mahesh Prasad in whose place concerned workman was appointed had been sacked. In other words he was not reinstated. As such under these circumstances agreeing with the contention of the representative of the concerned workman it is held that the services of the concerned workman could not be terminated by invoking

the above mentioned provisions of rule 11(3).

8. Alongwith the affidavit R. P. Singh has also filed a statement showing the period in which the concerned workman has worked. Working period of the concerned workman is as under:—

1-12-84 to 3-2-85 Lahar Shakha Dakghar.
4-2-85 to 2-4-85 Karya Nahi kiya
3-4-85 to 12-4-85 Bhatta gaon Updak Ghar
13-4-85 to 1-7-85 Sutipura Shakha Dakghar
11-2-86 to 5-7-86 Gariva Gaon Shakha Dakghar
6-7-86 to 14-7-86 Karya nahi kiya
15-7-86 to 31-1-89 Gariva Gaon me karya kiya.

It also shows that the concerned workman had at least continuously worked from 15th July, 1986 to 31st January, 1989. In other words he had completed at least 240 days in a calendar year before termination. In my opinion, even if the employer had right to terminate the services of the concerned workman, this could not have been done without complying with the provisions of section 25F Industrial Disputes Act, 1947. Since it has not been done, the termination of services of the concerned workman on this score is also illegal.

9. The concerned workman has also raised plea that there were five other officials who were placed in similar circumstances have been retained in service. Thus, there is hostile discrimination. There is no proof in support of this plea. Hence, this plea is over ruled.

10. No other point has been placed before me.

11. In the end for the reasons given above, it is held that the termination of the services of the concerned workman by the employer is illegal as such it is ordered that the employer shall reinstate the concerned workman within a period of two months from the date of publication of this award. The employer will also pay back wages to the concerned workman.

12. Workman shall also get Rs. 200 as costs of the case from the employer.

13. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 24 अप्रैल, 1995

का. आ. 1365.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार Controllorate of Quality Assurance के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनबन्ध में निहित औद्योगिक अधिकरण बोम्बे के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 21 अप्रैल, 1995 को प्राप्त हुआ था।

[सं. एल-14025/2/92 आई आर (डी यू)]
के . बी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 24th April, 1995

S.O. 1365.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal" Bombay as shown in the Annexure, in the Industrial dispute between the employers in relation to the management of Controllorate of Quality and their workmen, which was received by the Central Government on 21-4-1995.

[No. L-14025/2/92-IR(DU)]

K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2. BOMBAY

PRESENT:

REFERENCE NO. CGIT-2/14 OF 1993

EMPLOYERS IN RELATION TO THE MANAGEMENT OF CONTROLLERATE OF QUALITY ASSURANCE (AMMUNITION) KIRKEE, PUNE

AND

Their Workmen.

APPEARANCES:

For the Employers : Shri B. M. Masurkar Advocate.

For the Workmen : Shri S. M. Dharap Advocate.

Bombay, dated 29th March, 1993

AWARD

The Government of India, Ministry of Labour, New Delhi by its letter No. L. 14025/2/95-IR(DU) dated 12th February, 1993 has referred to the following industrial dispute for adjudication :

SCHEDULE

"Whether the category of Chargeman Gr. II in the Controllorate of Quality Assurance (Ammunition) Pune falls within the definition of the term "Workman" or not" under the Industrial Disputes Act, 1947".

2. The facts giving rise to this reference can be summarised as follows :

In the workshop at Kirkee about 140 employees were working as chargeman grade II. The Works Committee elections which were held in 1988 were conducted by all including the category of chargeman grade II. It was only after the period of the said committee was over in 1990 the said category was omitted from conducting the elections for the works committee. Being aggrieved by that the union filed a writ petition No. 1805 of 1991. An interim relief restraining the management from holding the elections was granted by the High Court. When the matter reached for hearing an application was filed to the management for vacating the interim relief. Their Lordships directed the union Government to refer the industrial dispute for adjudication to the Industrial Tribunal, to decide the issue regarding the Chargemen Gr. II category. The management and the union made application and resulted in the present reference.

3. The National Defence Kamgar Union which is affiliated for INTUC has filed the statement of claim. It contended that the Chargeman Gr. II performs the following duties.

1. Filing of letters received from other establishments pertaining to a particular store.
2. To put a cross reference and put up letters to the superiors.
3. To assist the superiors in providing collection of date and record to.
4. To put up note sheet and reply to the Officers on getting proof results/reports/drawings/documents pertaining to other departments.
5. Opening and closing of sections.
6. To help the officers in distribution of pay and allowances to the industrial employees.
7. any other adhoc duties assigned by superiors.

4. The union pleaded that the Chargeman Gr. II is a lower category and the later works under the Supervision and control of all higher authorities. This category does not perform any managerial or mainly supervisory duties to take them out of the purview of the definition of the term workman under section 2(S) of the Industrial Disputes Act of 1947. It is averred that the nature of the duties of the said category and pre-dominantly clerical, technical and therefore the category falls within the purview and definition of the term workman.

5. The union therefore prayed that it may hold and declare that the category Chargemen Grade II working for the Cont-

rollerate of Quality Assurance (Ammunition) Kirkee, Pune falls within the definition of the term workman under section 2(5) of the Industrial Disputes Act with other reliefs.

6. The management resisted the claim by their written statement exh. 5. It is asserted that the category of Chageman Gr. II performs supervisory/managerial functions and duties and draws a salary exceeding Rs. 1600 per month. It is therefore taken to be called as a workman contemplated under the Industrial Disputes Act.

7. The union filed its rejoinder at exh. 4 and re-asserted their claim and denied the contentions taken in the written statement.

8. The issue that falls for my consideration is as under:

Issues	Findings
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- | | |
|---|----|
| 1. Whether the category of Chageman Grade II in the Controllorate of Quality Assurance (Ammunition) Kirkee, Pune falls within the definition of the term workman or under the Industrial Disputes Act of 1947 ? | NO |
|---|----|

REASONS

9. The management had examined Shri M. H. Pharne (exh. 9) Senior Scientific Officer Gr. II and Shri V. S. Karkhanis (Exh. 11) Chageman Gr. II to support that the Chageman Gr. II does not fall within the definition of the term workman under the Industrial Disputes Act of 1947. They also relied on several documents as against this, Shri D.H. Agarwal (exh. 12) who is personally working as a Chageman Gr. II supported the case of the Union. The Union also relied on several documents produced by it.

10. Mr. Dharap the Learned Advocate for the union and Mr. Masurkar the Learned Advocate for the employer practically placed reliance on the same authorities. These different authorities namely Burmashell Oil storage & Distribution Company of India Ltd. & Burmashell Management Staff Association 1970, II, LLJ, 590, S.K. Verma and Maheshchandra and Another II, LLJ, 429, Arkal Govind Raj Rao and Ciba Geigy of India Ltd., Bombay 1985, I, LLJ, 401 Ved Prakash Gupta v/s. Delton Cable India (P) Ltd., 1984, (48) FLR, 417, S.K. Maini v/s. M/s. Carona Sahu Co. Ltd. & Ors. 1994, I, LLJ, 1153, and Ashok Leyland Limited and A. Vijaykumar and another 1981, II, LLJ, page 9. In these authorities the principles laid down are that whether the nature of duties is purely Clerical or Technical or of such business which falls within the definition of the term of workman. It is observed that when the nature of duties is multifarious in that case the discharge and determination will be on the basis of the pre-determination nature of duties and it depends on several factors. When the question is whether the employee is a workman under the Industrial Disputes Act then it has to be determined on the basis of his duties and functions. It has to be determined to the facts and circumstances of each case. It is observed that the designation of the employee is not of much importance. The determination factor is the main duties and not some work incidentally done. It is observed that as a General member whether the person is employed on the reason of technical equipment as supervisor or in the management or even as administrator, he cannot claim to be a workman because he cannot fall under the category. But the facts can be different.

11. On the basis of the above said presentation now it has to be seen whether the Chageman Gr. II may be said to be a workman or not.

12. The overall organisational set up of Controllorate of Quality Assurance may be said to be as follows :—

"The Ammunitions are mainly produced in Ordnance Factories through Public and Private Sectors are also involved in its manufacture. These Agencies are responsible for manufacture of Ammunition Stores used by the Army. The responsibility for Quality Assurance of the finished Ammunition stores issued to the Army rests with the Controllorate of Quality

Assurance (Ammunition). This task is carried out by the Controllorate with the assistance of different Quality Assurance Establishments located at Ordnance Factories and other major centres of Civil Trade all over India. Controllorate of Quality Assurance (Ammunition) exercises the technical control over all the concerned agencies with an aim to ensure that the Ammunition stores issued to the Army bear the desired and specified quality standards. The internal working of the Controllorate also is organised to achieve this goal."

13. The Chageman Gr. II are employed in the Controllorate of Quality Assurance and are transferred to different quality assurance establishments. They have to undertake different types of duties depending upon their placements.

14. The Technical Supervisor Gr. II are now re-designated as Chageman Gr. II. The word Technical Supervisors indicate and undertake all the works of the supervisory nature, which takes him out of the definition of the word workman.

15. Before the rise to the post of the Chageman Gr. II the employee has to pass through four grades i.e. semi-skilled, skilled, highly skilled, Gr. II and highly skilled Gr. I. Fifty percent of the posts are reserved for direct recruitment for chageman Grade II for which the qualification required is minimum a degree in engineering or post graduate in science or diploma in engineering with experience as considered. That itself goes to show that the person holding the post of Chageman Gr. II should not only possess enough knowledge and experience but should also be competent to guide, supervise and control his subordinates which include all the workmen in the above said grades.

16. It is not in dispute that the Chageman Gr. II are placed in five different establishments namely :—

(a) Technical services area	—38	} Total—139
(b) Testing area	—13	
(c) Administrative area	—16	
(d) Management area	—8	
(e) Quality assurance area	—64	

17. Shri Pharne and Shri Karkhanis affirmed that the list of duties of Chageman Gr. II and Gr. I in general are one and the same. Looking to this list which is at Annexure II along with affidavit of Pharne it clearly goes to show that he is controlling authorities of the Quality Assurance sub-sections, allots duties to the lower Staff for physical inspection scrutiny and interpretation, drawings and specifications to assist inspection and planning. These categories clearly go to show that their work is of a managerial/Administrative nature.

18. From the testimony of these three witnesses it appears that in a workshop there are about 100 industrial workers/employees and they operate machines. In that shop there are about 16 chagemen Gr. II and one Chageman Gr. I. The chageman gr. II supervises the work of all these 100 industrial employees working in that shop. These employees are semi-skilled, skilled, highly skilled workman Gr. II & I. No doubt Mr. Pharne has never worked as Chageman Gr. II but so far as Karkhanis is concerned, he works in the same cadre. He is supported by Mr. Pharne on the point. As the chageman Gr. II supervises the work of the said category of the workmen in the workmanship in that section their work is of a managerial nature.

19. So far as the printing process is concerned, Aggarwal does not know anything in respect of the same. Admittedly there are about 31 workers in the printing process and there are two posts of chageman Gr. II & one post of Gr. I. These two person in Chageman Gr. II category supervise the work of all these 31 industrial workers. Thus, it goes to show that they cannot be called as workers.

20. In the case of Chemical/Mechanical Laboratory & break down of Ammunition Laboratory and motor vehicles departments concerned the position is same. The Chageman Gr. II is the incharge of the motor vehicle duty. As he is incharge of that department obviously he supervises the work of others.

21. In the Administrative matters the Chargeman Gr. II has to work on daily duty. His duty consists of marking presence/absence of workmen, late attendance and submit this report to the labour section for the preparation of their pay bill and overtime statement. In the Supervisory capacity it is important to report to the Disciplinary Authority and keep an eye on the workers as their superior. No doubt he cannot grant leave but he can recommend leave. The recommendation of leave reports control over the workmen who apply for the same. In the Canteen duty the chargeman Gr. II is the incharge and supervises 3-4 employees working under him. It is not in dispute that sometimes he prepares the bills but that is only occurring when the following bill clerk is not there. His main work is to supervise the work of the canteen and arrange for supplies from time to time.

22. Karkhanis admits that he represents his organisation on task force meeting for developing of stores held by Ordnance Factory, Khamaria. The task work is decision making body for developing the ammunition stores on which Shri Karkhanis represents CQA organisation of Pune as an expert on developing ammunition. He would attend the meeting along with the others. He would do so because, his work is that of a managerial or administrative type. If he would have been a workman, then he would have not given such a decision. Karkhanis admits that the Chargeman Gr. II is deputed in taking lectures on different subjects relating to ammunitions. This work is a work of responsibility, and can be entrusted only to the persons holding managerial positions and not to the workman. It is admitted by Karkhanis that the Chargemen Gr. II are conducting classes periodically to train the industrial employees to prepare them for the trade test and they have to pass the test for promotions. They also scrutinise the drawings. The maintenance of drawings involves various activities namely scrutiny of Blue Print, approval of the Drawing and its correctness for the purpose of production. Karkhanis affirmed that after the approval of the material aspects and the correctness of the supply order the samples are called by the CPV for the ordinance factory as per the approved particulars. These samples are selected by the Board of Officers of COA of which Chargeman Gr. II is also a member and he is required to express his opinion on the samples. The workman cannot give such a type of an opinion.

23. It is not in dispute that the Chargeman Gr. II were permitted to conduct elections in 1988 but they were never permitted to participate later on. The Chargemen Gr. II are not allowed to participate in Works Committee in the other establishments. To substantiate this letters from the different establishments are produced to show that this is the position. This clearly goes to show and suggest that the chargeman Gr. II are treated by the other establishments as not workers and are accepted as Officers by their Union there. They fall in the category of managerial/supervisory cadre.

24. It is not in dispute that the chargemen Gr. II draws wages exceeding Rs. 2,500 p.m. For all the above said reasons I find that looking to the nature of duties performed by the Chargeman Gr. II, they do not fall within the definition of the term workman under section 2(5) of the Industrial Disputes Act and hence pass the following order :—

ORDER

1. The Category of Chargemen Gr. II in the Control-rate of Quality Assurance (Ammunition), Pune does not fall within definition of the term "workman" under the Industrial Disputes Act of 1947.
2. No order as to costs.

S. B. PANSE, Presiding Officer

नई दिल्ली, 25 अप्रैल, 1995

का. आ. 1366.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एम्प्लॉयज स्टेट इन्श्योरेंस कारपोरेशन के प्रबन्धन के संबन्ध नियोजकों और उनके कर्मचारों के बीच प्रबन्ध में निहित औद्योगिक विवाद में केन्द्रीय सरकार।

औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24 अप्रैल, 1995 को प्राप्त हुआ था।

[सं. एल-43012/7/92-आई आर (विविध)]

बी. एम. डविड, डेस्क अधिकारी

New Delhi, the 25th April, 1995

S.O. 1366.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Employees State Insurance Corporation, and their workmen, which was received by the Central Government on 24-4-1995.

[No. L-43012/7/92-IR (Misc.)]

B. M. DAVID, Desk Officer.

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA PRESIDING OFFICER
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT PANDU NAGAR, DEOKI
PALACE ROAD, KANPUR

Industrial Dispute No. 52 of 1993.

In the matter of dispute between :

Shri Ram Prasad Dubey through Shri S. N. Tewari
119/74-157, Naseemabad, Kanpur.

AND

Regional Director, Employees State Insurance Corporation
Regional Office Panch Deep Bhawan, Sarvodaya Nagar Kanpur.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-43012/7/92-I.R. (Misc.), dated 8th June, 1993, has referred the following dispute for adjudication to this Tribunal :—

Kya Kshetriya Nideshak Karamchari Rajiya Bima Nigam, Kanpur dwara Karamkar Shri Ram Prasad Dubey ko dinank 26-7-1991 nishkasi karna nyayochit hai ?
Yadi Nahin to sambandhit karmakar kis anutosh ka haqdar hai ?

2. The above reference order was received in the office of the Tribunal on 28-6-1993. It is also clear from the reference that the copy of the same was sent to the concerned parties with a clear direction that the party raising the dispute shall file a statement of claim complete with relevant documents, list reliance and witnesses with the Tribunal within 15 days of the receipt of this order of reference and also forward a copy of such statement to each one of the opposite parties involved in the case. However, on receipt of the reference order from the Ministry, notices for filing the statement of claim were issued to the party raising dispute fixing 26-7-1993, 9-9-1993, and again on 17-2-1995 fixing 31-3-1995, but neither the concerned workman nor his authorised representative appeared before the Tribunal in the case nor any statement of claim was filed in the case.

3. Thus from the above facts and circumstances I am inclined to hold that despite availing of sufficient opportunity, the concerned workman failed to comply with the directions of the Tribunal which shows that the workman is not interested in prosecuting the present reference. As such question of allowing any relief does not arise at all except holding that the workman is not interested in prosecuting the case.

4. Reference is answered accordingly.

B. K. SRIVASTAVA, Presiding Officer.

नई दिल्ली, 25 अप्रैल, 1995

का. आ. 1367.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में केन्द्रीय सरकार यूको बैंक के प्रबन्धतंत्र के संबंध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण सं. 2 धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 25 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्या एल-12012/98/93-आई आर(बी-2)]
बी. के. शर्मा, डेस्क अधिकारी

New Delhi, the 25th April, 1995

S.O. 1367.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workmen, which was received by the Central Government on 25-4-1995.

[No. L-12012/98/93-IR (B. II)]
V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT:

Shri D. K. Nayak, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 129 of 1993

PARTIES:

Employers in relation to the management of UCO Bank and their workmen.

APPEARANCES:

On behalf of the workmen: Shri B. Prasad, State Secretary, UCO Bank Employees' Association.

On behalf of the employers: Shri S. C. Sarkar, authorised representative.

STATE: Bihar.

INDUSTRY: Banking.

Dhanbad, the 18th April, 1995

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/98/93-IR B.II dated, the 2nd September, 1993:

SCHEDULE

"Whether the action of UCO Bank of India in terminating the services of Shri Lalan Mishra is justified? If not, what relief he is entitled to?"

2. The workman in his W.S. had stated that he joined UCO Bank at Sabaipatti Branch within the district of Muzaffarpur (Bihar) as a temporary Peon on 10-6-85 against the permanent vacancy on daily wages of Rs. 7 which was enhanced subsequently to Rs. 12 per day on weekly basis and he was to work from 10.00 A.M. to 6 P.M. and thereby

he continued in the services in the said branch till his service was not dispensed with on and from 7-12-87. As a result he completed 240 days of continuous service in 12 consecutive months and he worked in the Bank for more than 28 months and in course of his duties he was to perform carrying token scroll book from Accounts department to the Cash department stitching the vouchers, to attend the post mails and also to serve water to the staff as well customers. However, he was terminated on and from 7-12-87 without any notice of termination nor on payment of notice pay or any compensation in any manner.

3. His further case in the Written Statement is that after his removal many persons were given fresh appointment as well as re-appointment against permanent vacancies without considering his case and on appeal to the management on several occasions he got no result and his request remained unattended.

4. Thereafter ultimately the case was taken up by the union and representation was made from the end of the association on 15-10-89 before the ALC(C) Patna and the matter was referred to the Government of India under the I.D. Act, 1947 and as the conciliation failed reference was made to this Tribunal for adjudication.

5. The further case in the W.S. is that he is a workman within the definition of the I.D. Act, 1947 and he is entitled to get relief under the I.D. Act for the violation of the provision of the I.D. Act as well as rules prevalent in the Bank and ultimately prayer has been made for his reinstatement with a direction to the Bank management for payment of full back wages after regularising his services in the Bank in the minimum scale of pay of the subordinate staff or to pass necessary order as it deems fit.

6. The management in his W.S. as well as in his rejoinder stated that the concerned workman Shri Lalan Mishra was a casual worker and he used to be engaged from time to time as against temporary job for temporary period not as a permanent worker not in continuous manner. However, in the said Written Statement it is stated that the concerned workman worked during the period from June 1985 to December 1987 intermittently on some casual and temporary nature of jobs and his engagement was by the local management without having taken any sanction from the competent authority and thus his appointment was not legal one.

7. Further case of the management is that his job was to supply drinking water and tea to the staff and the customers and he was actually a water boy on casual basis though he used to perform cleaning job of chairs and tables occasionally as and when required. The further case as made out in the W.S. of the management is that the management entered into a settlement dated 12-10-89 with all unions connected to the Bank for deciding the criteria in order to regularise the casual workers working at different branches of the management bank and a circular was issued on 19th October, 1989 by the management for implementation which was the outcome of such settlement and it was decided in the said circular that if any person even works as a casual worker for a term of 240 days of attendance on normal duties in subordinate cadre he would be regularised and absorbed as against permanent vacancy as and when it would crop up. It is stated further that the concerned workman did not complete work of 240 days within the period from 12-10-86 to 12-10-89 as required in the settlement and thereby the question of regularisation and absorbing him does not arise. It is stated further that he could never be considered to be a workman nor the case comes within the provisions of Section 25F of the I.D. Act. In the rejoinder the facts stated by the workman in different paras of its have been denied but it is admitted that the concerned workman joined as casual worker in the branch as stated on 10-6-85 but not against permanent vacancy nor as a Peon and as his case did not come within the ambit of the settlement so he was rightly dismissed from 18-10-87. It is denied that the management dismissed him whimsically and thereby he is not entitled to get any notice of termination nor any notice pay. According to the settlement the case of the casual worker who fulfilled conditions mentioned therein were considered and appointment was given but as this workman does not deserve any consideration his case was not considered.

8. In the rejoinder the workman had stated that actually he completed 240 days as per circular in between 12-10-86 to 12-10-89 and he is eligible to get the relief as prayed for and his prayer is so.

9. With reference to the W.S. and rejoinder filed by the parties I am to decide the following points:—

1. Whether the concerned workman was employed as a casual worker in the management bank on the date as alleged and he can be considered as a workman under I.D. Act.
2. Whether he has completed 240 days work as per settlement took place between the management and the different union.
3. If so to what relief he is entitled ?

10. In the instant case the workman Shri Lalan Mishra had deposed stating that he joined in Bank on 10-6-85 and he worked there till 7-12-87 and in course of his duties he used to perform the work from 10.00 A.M. till closing of the Bank and he used to open the Bank in the morning and to clean the tables etc. and also to take out registers and documents of the Bank from the Almirah and to take out token books, to place the attendance registers and also to supply water and tea to the staff and customers. Besides that he was performing the work relating to mail of Post Office, stitching of vouchers, packing of currency notes etc. According to his statement he used to get a sum of Rs. 10 as daily wages but he was removed from the service on 7-12-87 without any notice pay and notice. He deposed further that he came to know that after his dismissal an agreement came into existence between the management and different union regarding regularisation of the casual workers who had completed 240 days in the last preceding three years and he claims relief as sought for as per the settlement entered between the management and the union and according to him there are many branches where permanent vacancies are lying. He was cross-examined and in course of cross-examination it had transpired that on the very day of cross-examination he came to know that his name has been empanelled and he stands in the third position in the said list and he is agreeable to get his absorption in the services as against permanent vacancy as it would arise and also he is ready to work as casual worker as per terms and conditions of the management and the period as he stated in his evidence and W. S. as the period of his work as also been accepted by the management though it is added that sometimes he was absent due to his illness. In cross-examination it had transpired further that after his removal permanent vacancies arose and that was filled up by different persons.

11. From the side of the management one Niraj Narayan had been examined who was posted on the very day of the opening of the branch concerned as Manager in the relevant moment. According to him that Class IV staffs are recruited as and when vacancy arose by the Zonal Manager after obtaining the names of the Employment Exchange. He has been cross-examined at length. He had deposed about the dispute between the concerned workman and the management. However, he cannot tell what was the period of work performed by the concerned workman. He has proved two documents marked Ext. W-1 and W-2.

12. After considering the oral evidence and the documentary evidence marked Ext. W-1 and W-2 I find the following facts to be admitted:—

- (a) The concerned workman started working in the management bank at Sabaiipatti branch on 10-6-85 and worked there till his removal on 7-12-87 besides the days when he could not perform his duties due to his illness.
- (b) It is a fact that he has completed 240 days for performing duty as a Peon.
- (c) It is not disputed that there was an agreement between the management and the different union as regards regularisation of services of the casual worker and the fact that the name of this concerned workman stands in Sl. No. 3 who were empanelled from the casual worker for absorption in subordinate cadre in terms of circular No. CHO/PAS/16/89 dt. 19-10-89.

13. In course of argument the Law Officer Mr. Sarkar representing the management bank did not dispute the aforesaid fact but he contended that at this very moment it is not possible for him to say whether there is any permanent vacancy in which the concerned workman is to be recruited or absorbed as per the said settlement though his name stands in Sl. No. 3 nor he was able to state whether first two candidates have already been absorbed. But he cannot deny the force of the settlement and the list empanelling the name of this casual workers to be absorbed as per terms of settlement.

14. Keeping all those facts in mind I have no hesitation to hold that the said Lalan Mishra is a workman under the I.D. Act and he is entitled to get effect of the agreement entered between the management and the different union marked Ext. W-1 and he deserves his reinstatement and regularisation in the services as per terms of the said settlement when his name has been empanelled and his position is third one as per Ext. W-2.

15. At the same time this Tribunal is not forgetful that a man can only claim absorption and regularisation in his services as and when any permanent vacancy arises.

16. There is no specific evidence whether any permanent vacancy is in existence except the oral testimony of the concerned workman. Be that as it may it can be said that as per the agreement as referred to above and marked as Ext. W-1 the reference can be disposed of in the following terms and conditions.

17. It is held that the action of UCO Bank in terminating the services of Shri Lalan Mishra was not justified in view of the Ext. W-1 and also it is held that he is entitled to be absorbed as his name has been empanelled as against the permanent vacancy as per terms of agreement.

18. At the same time it is held that he should be reinstated within one month from the date of publication of this Award and he will get wages of casual workers at the rate as it is prevalent at the present moment with a specific direction to absorb him right now if any permanent vacancy is in existence and if not so to absorb him without making delay of even a single day when permanent vacancy of subordinate staff cadre of the management Bank would arise.

19. His prayer for back wages is disallowed as he used to perform his work on daily wage basis as casual worker till the settlement did not see the light of the day and as in the said settlement there is no clause that the persons who have been removed in the meantime would be absorbed with back wages. This reference is disposed of in favour of the workman subject to the observation made above.

This is my Award.

D. K. NAYAK, Presiding Officer

नई दिल्ली, 25 अप्रैल, 1995

का. आ. 1368 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में केन्द्रीय सरकार इंडियन ओवरसीज बैंक के प्रबन्धन के संवद्ध नियोजकों और उनके कमकारों के बीच अनुबंध में निहित औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है; जो केन्द्रीय सरकार को 25 अप्रैल, 1995 को प्राप्त हुआ था।

[सूमा एल-12012/306/91-आईआर(बी2)]

बी. के. शर्मा, ईस्क अधिकारी

New Delhi, the 25th April, 1995

S.O. 1368.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Madras as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Indian

Overseas Bank and their workmen, which was received by the Central Government on 25-4-95.

[No. L-12012/306/91-IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU, MADRAS

Friday, the 20th day of January, 1995

PRESENT :

Thiru K. Ponnusamy, M.A.B.L., Industrial Tribunal
Industrial Dispute No. 21 of 1992.

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Indian Overseas Bank, Madras).

BETWEEN :

Sh. C. Dharmaraj,
C/o. Thiru K. I. S. Santhanam,
AITUC Labour Leader,
47, Paswarapuram, Kottiar, Nagercoil,
Kanyakumari Dist.

AND

The General Manager,
Indian Overseas Bank,
P. B. 3765, 762, Anna Salai,
Madras-600 002.

REFERENCE :

Order No. L-12012/306/91-IR(B.II), dated 12-3-92, Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on for final hearing on Monday, the 26th day of December, 1994 upon perusing the reference, Claim and Counter statements and all other material papers on record and upon hearing the arguments of Thiru K. I. S. Santhanam, Authorised Representative for the Workmen and of Tvl. N. G. R. Prasad, Balan Haridas and S. Vaidyanathan, Advocates appearing for the Management, and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This reference has been made for adjudication of the following issue :—

"Whether the action of the Management of Indian Overseas Bank, in removing Sh. Dharmaraj, from the services of the bank, is justified? If not, to what relief is the workman entitled to?"

2. Petition is filed by the petitioner praying for direction to the respondent to reinstate him in service, with full back wages, continuity of service, and other incidental benefits for the period of non-employment.

3. The case of the petitioner briefly stated is as follows.—He worked as a Shroff/Bill collector and finally as a Cashier in the respondent-bank. He had an unblemished career of 27 years of service from 1959 and he was put in about 3 decades of continuous and strenuous services in the respondent-bank. While he worked as cashier at the Kottiar branch, alleging that he fraudulently removed Rs. 7,500 on 20-3-85 while he was entrusted with sorting out the soiled currency notes with various denominations taken from the vault to be sent to the Reserve Bank of India. He and the Branch Manager were jointly responsible. He had admitted the said shortage and made good the amount on 21-3-85 itself. But he had not admitted at any stage that he had misappropriated the money. In the departmental enquiry, the deficit of Rs. 7,500 was proved. The allegation that he has fraudulently removed the amount was not proved. But unfortunately, the Enquiry Officer came to the wrong con-

clusion, that the alleged charge is proved. The findings of the Enquiry Officer are wrong and perverse as he interpreted and believed the evidence of the witnesses according to his assumptions and presumptions. The Enquiry Officer mainly took into cognizance the deposition of MW1 who has no knowledge of Tamil language, and his deposition that the petitioner has accepted the misappropriation is not tenable. The deposition of MW1 that the shortage in the vault denote that both the Manager and the petitioner are responsible was not properly considered by the Enquiry Officer. MW2 the Manager has accepted that he and the petitioner are jointly responsible for the shortage in the vault. The deposition of MW2 that the petitioner has admitted the shortage of cash does not hold water the petitioner has stated in his letter whatever has taken place. The shortage admitted in his letter does not subscribe to the theory of the Management of the respondent-bank that he has misappropriated the money. The evidence of MW3 is less. He made good all the shortage, when it was brought to his notice. The Management has not established any mala fide intention on his part. Such shortage does occur when one is working in cash department. He has accepted honestly the shortage and the Management after that commended his acceptance of the shortage. There was no gainful manipulation on his part, and shortage of currencies which were soiled is not re-issuable has to be taken into account. The Manager has deposed that the petitioner was a good and sincere employee. 3 jewel loans were granted to adjust the shortage proves clearly beyond any doubt that there was only shortage on the previous date, i.e., 20-3-85 and the jewel loan on 21-6-85 was granted outside the norms to adjust the shortage with knowledge and consent of the authorities and it also proves negligence on the part of the Manager to cover up the shortage of cash for which he is also jointly responsible. The Manager was not dealt with severely as that of the petitioner's case. The Management did not raise any objection regarding the joint responsibility of the petitioner and the Manager. The Management in their reply to the Assistant Commissioner of Labour (Central) Madras dt. 26-2-91, has very freely and repeatedly used the words "fraudulently removed, fraudulent act, Misappropriation" as if he has been caught hold of any possession of the alleged soiled currency notes which were said to be missing in vault of the bank. There is no eye witness for the alleged pilferage of the currencies. The Manager was negligent in not accounting the currencies. The alleged currencies were kept in the vault on 20-3-85. In the departmental enquiry he admitted the shortage honestly. But he never admitted the guilt. He never accepted that he had fraudulently removed the cash from the vault. He understood the responsibility of shortage of 20-3-85 was made good on 21-3-85 with full knowledge and consent of the Management as shortage. The allegation that he removed the currency notes for his own purposes has not been established by any witness, in the departmental enquiry. MW1 cannot read and write Tamil. MW1 has misunderstood, that the petitioner has accepted his guilt. He was honest and sincere to his work during the long period of his service. He removed the soiled currency notes from the vault is proved by no eye-witness. After the sorting of the notes, they were placed in the vault. He has not misappropriated Rs. 7,500. He is not guilty of any misconduct. He is not guilty of any fraudulent or dishonest act. Even assuming that he is guilty of misconduct, punishment awarded is severe and excessive and disproportionate to the guilt.

4. The defence of the respondent briefly stated is as follows.—The petitioner fraudulently removed Rs. 7,500 on 20-3-85 from out of the soiled Currency notes entrusted to him for the sorting work. The petitioner, had stolen 168 pieces of the denominations of Rs. 100, Rs. 5, Rs. 20 Rs. 10 and Rs. 2. The petitioner remitted the account by availing 3 jewel loans from the said branch. The misappropriation was detected during the surprise inspection conducted by the Regional office of the Bank. Charges levelled against the petitioner were proved in the domestic enquiry. The petitioner came forward and admitted the guilt by his letter dated 21-3-85. Finally he was dismissed from service by a letter dated 28-3-87. He preferred an appeal by letter dated 4-5-87. The duly constituted Appellate Authority gave personal hearing on 8-12-87 to the petitioner and his defence

representative. After considering the submissions of the petitioner and the records of the case, the Appellate Authority confirmed the punishment of dismissal by his order dated 17-3-88. The said order was communication to the petitioner. The petitioner had not raised any Industrial Dispute immediately hereafter. But after lapse of more than 2 years, the petitioner has raised the Industrial Dispute before the Assistant Labour Commissioner (Central), Madras for reference to this Tribunal for adjudication. The dismissal of the petitioner from service is legal, valid and justified and commensurate with the gravity of the crime, and is binding on the petitioner. The punishment is fully justified. There is no case for any leniency in the quantum of punishment. The service put in by the petitioner was only average and there was no question of the petitioner putting in strenuous service. The petitioner dishonestly and fraudulently removed Rs. 7,500 from out of the soiled notes given to him for sorting out on 20-3-85. The petitioner was caught red handed on 21-3-85 when the Inspector from the Regional Office came for surprise inspection. In the vault, the balance is kept in joint custody. Investigation clearly shows that the petitioner alone committed the misappropriation, by pressing the bundles to currency notes and removed one or two so that the other joint custodian cannot easily find out as normally each and every bundle is not counted by the Manager, reposing confidence in the petitioner. The petitioner has committed breach of trust. There was no question of petitioner admitting the shortage as the shortage itself is the result of misappropriation. There was no question of petitioner making good the amount on 21-3-1985 voluntarily. But the same was the result of detection of the fraud committed by the petitioner, came to light during (the inspection conducted by the Regional Office. In enquiry it was established beyond doubt that the petitioner had misappropriated Rs. 7500 from out of the soiled currency notes given to him for sorting out. The allegation of the petitioner that the deficit of Rs. 7,500 alone was proved in the enquiry. The findings of the Enquiry Officer are legal, valid, and based on legal evidence and on record. The findings of the Enquiry Officer are not perverse. MW-1 knows Tamil to certain extent. The petitioner segregated and kept the soiled currencies sealed separately under his signature. This clearly proves that the petitioner alone was responsible for misappropriation. Shortage in cash cannot simply occur. Currency notes cannot disappear in air. Somebody incharge should have taken them out. Letter of the petitioner dated 21-3-85 clearly establishes that he has voluntarily admitted the shortage and he is the author of the crime. There is no question of joint responsibility. The petitioner confessed the guilt. If the shortage was brought to the notice of the branch manager, he would have taken immediate action. The shortage was not brought to the notice of the Manager, by the petitioner. The pilferage committed by the petitioner clearly proves his dishonesty and fraudulent intention beyond all reasonable doubts. The bank's case does not depend on the mere acceptance of the guilt by the petitioner and is proved by duly constituted departmental enquiry. The petitioner lacks honesty and rendered himself unsuitable for being continued in bank's service. The mere fact that the petitioner had made good the money does not in anyway mitigate the gross misconduct committed by him. The petitioner dishonestly committed misappropriation of Rs. 7,500. The dishonest employee cannot be continued in bank's service whether it be a first offence. Even it be the first offence, the punishment should be severe has been laid down in several decisions. The jewel loan was granted with a view to recover the money from the petitioner immediately so that the petitioner can bring security for the amount misappropriated by him. It has been done with a view to see that there is no delay in recovering the amount from the petitioner. The bank has taken separate action against the branch Manager for his negligence for not counting the currency notes, while they were deposited in the vault. This Act of negligence on his part enabled the petitioner to boldly commit the Act of misappropriation. The acts committed by the petitioner are not acts of negligence but act of dishonesty. He pilfered the currency notes from out of the benefits. He had pilfered as many as 168 notes in various denominations which really proved his mala-fide intention to cause wrongful loss to the bank and made wrongful gain to himself. The punishment of dismissal is well merited, warranted and fully justified on the facts and circumstances of the case. Under Section 11-A of the Industrial Disputes Act it is a clear case of proved dishonesty of a bank employee dealing in public money. The

petitioner had pressed the currency bundles and removed 1 or 2 currency notes in a very clear and skilful manner. There is no question of any eye witness being present at the time of misappropriation committed by the petitioner. The petitioner is guilty of wilful Act, and he alone was responsible for the shortage. It was transferred from individual custody to joint custody only when the currency notes were placed in the vault for overnight custody. Inspecting Officer had known Tamil to certain extent but there is no difficulty in talking with the petitioner in English. The petitioner had not only admitted the shortage but also the misappropriation of the money. The petitioner's case is a case of deliberate misappropriation. The petitioner is guilty of defalcation. The domestic enquiry was conducted fairly and properly. The petitioner was afforded full and sufficient opportunity to defend his case, to cross-examine the witnesses, examined on the side of the Management, and lead evidence on his side. The petitioner is not entitled to reinstatement with full back wages continuity of service and incidental benefits.

5. The issue that arises for consideration is "Whether the petitioner is entitled to reinstatement with back wages, continuity of service, and other incidental benefits for the period of non-employment."

6. The issue : Admittedly, the petitioner served as Cashier, in the respondent bank at Kottar branch. The shortage of soiled currency notes for Rs. 7,500 is admitted by the petitioner. Soiled currency notes were entrusted to the petitioner for sorting out and segregating the same to be despatched to the RBI. In the surprise inspection by the Inspecting Officer of the Regional Office, detected the pilferage of soiled currency notes of Rs. 7,500 in the denominations of Rs. 700, Rs. 50 Rs. 20, Rs. 2 and Rs. 10. The total number of pieces is 168, is borne out by Ex. M-1. Shortage was made good by the petitioner by availing 3 jewel loans, in the Kottar branch is proved by Ex. M-2. The petitioner voluntarily came forward with the letter or original of Ex. M-2 in which it is categorically admitted and confessed the pilferage of soiled currency notes to the tune of Rs. 7,500. The original of Ex. M-2 is in the handwriting of the petitioner. The original of Ex. M-2 is not the outcome of any duress, coercion, threat or force. The mere fact that the petitioner made good the loss on 21-3-85 by availing 3 jewel loans clearly establishes that he pilfered the soiled notes to the tune of Rs. 7,500 fraudulently and dishonestly and misappropriated the same for his personal benefit and purpose and thereby caused loss of Rs. 7,500 to the bank and he has made unlawful gain to himself. The petitioner was charge sheeted is established by Ex. M-3, asking him to submit his explanation as to why disciplinary action should not be taken against him. The petitioner submitted his explanation is made out by Ex. M-4. Ex. M-4 does not contain the details. He has specifically denied the allegations contained in the charge sheet. He requested the Management to revoke the suspension and reinstate him in service. His explanation is very bald. Since his explanation is unsatisfactory, domestic enquiry was ordered and conducted. Notice for the domestic enquiry to be held on 20-11-85 at 11.00 a.m. at Kottar branch was served on the petitioner is proved by Ex. M-5. The domestic enquiry proceedings is established by Ex. M-6. Notice for the domestic enquiry to be held on 13-11-86 at 11.00 a.m. at Kottar branch is served on the petitioner is substantiated by Ex. M-7. The charge levelled against the petitioner is proved by legal evidences of MWs-1 to 3. The defence representative of the petitioner made his representation to the Enquiry Officer is supported by Ex. M-9. In Ex. M-9, the petitioner requested the Management to take a lenient view of the shortage proves that the petitioner is responsible for the p.p.s and he dishonestly and fraudulently misappropriated the soiled currency notes to the tune of Rs. 7,500. Second Show Cause notice was served on the petitioner to submit his explanation as to why the proposed punishment should not be imposed is evident from Ex. M-10. The Enquiry Officer after careful scrutiny of the evidence and perusal of the documents, explanations, Ex. M-14 submitted by the petitioner and the materials placed before him found the petitioner guilty of the charge levelled against him, is established by Ex. M-11. The disciplinary authority after careful perusal of the explanation submitted by the petitioner and consideration of the documents and analysis of the evidence, dismissed the petitioner from service, w.e.f. 8-3-87, is established by Ex. M-15.

7. The petitioner presented an appeal to the Appellate Authority and Appellate Authority intimated the petitioner about personal hearing at 2.45 p.m. on 3-3-87 is substantiated by EX. M-12. Personal hearing was given to the petitioner and his defence representative, is made out by EX. M-13. The vice-president of the Union sent letter dated 4-3-87 to the Appellate Authority to fix the hearing, is evidenced by EX. M-10. The hearing date was fixed at 3.00 p.m. on 18-12-87 is substantiated by EX. M-17. The Appellate Authority after careful perusal of the explanation submitted by the petitioner, weighing the evidence on record, and consideration of the documents, concurred with the conclusion of the disciplinary authority and dismissed the appeal, is borne out by EX. M-18. The shortage of Rs. 7,500 is proved by EX. M-19. The petitioner was on duty on 20-3-85 is established by EX. M-20 and M-21. EX. M-22 is the XEROX copy of vault balance book. The Branch Manager wrote letter regarding the shortage of cash of Rs. 7,500 to the Regional Office is substantiated by EX. M-20. The cash balance as on 19-3-85 is proved by EX. M-27.

8. No doubt the petitioner and the Manager were jointly responsible for the cash in vault. Currency bundles were entrusted to the petitioner by the Manager for sorting out the soiled currency notes. The petitioner skillfully removed the soiled currency notes to the tune of Rs. 7,500 and he sealed the balance, put his signature and placed them in the vault. The petitioner alone is responsible for the shortage, pilferage, and defalcation. It is the duty of the Manager to count the currencies in the bundles. The Manager failed to do so i.e. to count the currency of the bundles and he was negligent. Separate action has been taken against the Manager for his negligence. The Manager did not count the currencies in all the bundles since he reposed confidence in the petitioner and he took it for granted. The petitioner has stolen the soiled currency notes to the tune of Rs. 7,500 before placing the balance in the vault. The petitioner admitted his guilt to MW-1. Misappropriation of soiled currencies to the tune of Rs. 7,500 is proved by evidence of MWs-1 to 3, and the documents. The petitioner is solely responsible for the shortage. He fraudulently and dishonestly removed the soiled currency notes to the tune of Rs. 7,500. The mere fact that the soiled currency notes are non-issuable does not mean that the petitioner has not removed Rs. 7,500 and he has not misappropriated the same for his own use, purpose and benefit. The petitioner's voluntary admission, the evidences of MWs-1 to 3 and documents clearly establish the misconduct on the part of the petitioner. The petitioner has lacked honesty. If the petitioner is allowed to continue in the banking institution, the customers would loose confidence in the bank. The mere admission of MW-2 that petitioner is sincere and honest worker does not ipso facto prove that the petitioner is innocent, and he has not misappropriated Rs. 7,500. The continuation of the petitioner in service is prejudicial and adverse to the interests of the bank. The findings of the Enquiry Officer are not perverse. The findings of the Enquiry Officer are not biased, and are supported by evidence on record and the documents. The petitioner had mala fide intention to misappropriate the amount to the tune of Rs. 7,500. The petitioner made good the shortage by availing 3 jewel loans in the branch, clearly establishes that he is guilty of misappropriation of money and admitted the same to the Branch Manager at Kottar. The petitioner has committed the misconduct from out of the soiled currency notes. The pilferage is committed not after placing the balance bundles in the vault, but before it, by the petitioner. The findings of the Enquiry Officer are not based on assumptions and presumptions, but on the legal evidence and the documents. There is no eye witness for the misappropriation committed by the petitioner. The misconduct committed by the petitioner is grave in nature. There is no reason to show leniency to the petitioner. Having regard to the gravity of the offence, the measure of dismissal is just and proper, and is in commensurate with the serious nature of the crime. The dismissal of the petitioner would not be considered as severe, excessive, and disproportionate. The dismissal of the petitioner from service is legal and valid. The petitioner has not raised any industrial dispute immediately after the incident and he has raised the Industrial Dispute after a lapse of more than 2 years shows the lack of bonafide and has raised the I. D. as an after thought to flee from justice. The mere fact that the petitioner has not brought to the notice of the Manager and the shortage was detected by the inspecting Officer during his inspection, that the petitioner has committed the act of

pilferage and misappropriation of Rs. 7,500. The petitioner is the author of the deficit of Rs. 7,500. Pilferage occurred when the currencies were in the sealed custody of the petitioner. Shortage has not occurred in the cash handled by the petitioner. Cash shortage can occur in any one denomination at a time but in the present case, the cash shortage occurred in 5 denominations. The petitioner has fraudulently and dishonestly misappropriated the soiled currency notes to the tune of Rs. 7,500. The petitioner pilferaged the soiled currency notes from out of bundles. The petitioner deliberately misappropriated Rs. 7,500 in the form of soiled currency notes of various denominations.

9. The Enquiry Officer has followed the procedure prescribed by the Act. The Disciplinary action was conducted fairly and properly. The principles of natural justice is duly complied with. The domestic enquiry is not vitiated by any irregularity or impropriety or infirmity. The findings of the Enquiry Officer are not perverse. The domestic enquiry was conducted in accordance with the Standing Orders, procedure prescribed by the Act, provisions of the Law, equity, good conscience, and principles of natural justice. The petitioner was given full and sufficient opportunity to defend his case, to cross examine the witnesses examined on the side of the respondent, and adduce evidence on his side. The misconduct on the part of the petitioner is proved by legal evidence, Prima facie case has been made out and the domestic enquiry conducted by the Enquiry Officer is just, fair and proper. The dismissal of the petitioner from service is legal, valid and just.

10. Non-supply of copy of document having no bearing on charges or which is not relied upon by the Enquiry Officer to support the charge does not violate the principles of natural justice has been held in AIR 1988 SC P 117 Chandrama Tewari Vs. Union of India. It is well settled law. The copy of the documents were furnished to the petitioner. If the delinquent voluntarily makes an unconditional and unqualified confession without coercion or undue influence then there is an end of the matter and nothing remains to be done by way of disciplinary proceedings. The petitioner in the letter has categorically admitted the pilferage without any coercion, duress and undue influence. The defalcation is proved not only by the admission of the petitioner but also by the evidence and the documents. Confession has to be taken as a whole and one part cannot be relied upon to prove the charge. The confession of the petitioner has been taken as a whole. The confession of the petitioner is not the result of inducement or threat. If the workman admits the misconduct there is no necessity for the Management to hold enquiry. In the present case, the petitioner has admitted the misconduct on his part, besides the misconduct on the part of the petitioner is proved by the legal evidence and the documents. If the misconduct is admitted the question of shifting the onus does not arise. There is no violation in the admission of the petitioner regarding the charge. The charge is not based on mere inference or assumptions of facts and circumstances, not supported by any evidence on record. Findings of the Enquiry Officer are not based on assumptions, presumptions, surmises and conjectures, but based on legal evidence, documents, materials placed before the Enquiry Officer. The Enquiry Officer has also considered the evidence of the petitioner.

11. The power of awarding punishment vests in the Disciplinary Authority. That power is not absolute, that power should be exercised in a fair and reasonable manner, that when the disciplinary authority has acted in an arbitrary and unreasonable manner, this Tribunal has power to interfere with punishment and in such case the action of the Management is not immuned from the correction through judicial review, has been held in 1994 II LLJ p 278 Hindustan Latex Ltd., and others Vs. P. G. Padmarajan & Another. In this case, the Disciplinary Authority has exercised his powers in a fair and reasonable manner and not arbitrarily. Having regard to the gravity of the charge which is gross misconduct on the part of the petitioner. The above cited case does not help the petitioner. If the charge sheet is issued a decade after the incident violates the principles of natural justice and the consequent steps taken on the basis of the charge sheet are illegal and bad and the issuance of the charge sheet, the delinquent was promoted, to a higher post which amounts to condonation of the charge lapses has been held in 1994 II LLJ High Court of Calcutta p 287 Subal Chandra Saha Vs. Union of India and others. In the present case, the petitioner has come forward with the complaint after a lapse of 2 years. So, the aforesaid

case is of no assistance to the petitioner. This Tribunal has got power under Section 11-A to impose punishment. If the Tribunal gives cogent reasons for the punishment, it is just, not arbitrary and excessive. The Writ Court must be slow in interfering with the punishment awarded by the Tribunal has been held in 1994 1 LLJ P 1143 Sulej Cotton Mills Ltd., and 3 others Vs. Rajasthan Textile Mazdoor Panchayat Bhawani Mandi and 3 others. Having regard to the seriousness of the charge, it cannot be considered that the punishment awarded to the disciplinary authority is unjust, arbitrary, and excessive. So, the aforesaid case has no application to the case on hand. If the employee has got unblemished service of 29 years, the Court can award lesser punishment if the circumstances justify it has been held in Vol. 83 FJR P. 54 Kartar Singh Grewal Vs. State of Punjab. The petitioner had a service of 27 years. There is no circumstances to award a lesser punishment to the petitioner since the misconduct committed by the petitioner is of very serious in nature which is very prejudicial to the interests of the bank, and the public will lose confidence in the bank. There is no extenuating or mitigating circumstances to award lesser punishment to the petitioner. This Tribunal does not find any valid reason or circumstance to interfere with the punishment awarded by the Disciplinary Authority. Having regard to the circumstances, facts and the gravity of the charge which is proved by legal evidence, this Tribunal does not find any justification to interfere with the punishment awarded by the Disciplinary Authority to the petitioner. For the foregoing reasons, this Tribunal comes to the irreducible conclusion that the petitioner is not entitled to reinstatement with back wages, continuity of service and other incidental benefits for the period of non-employment. The issue is found in the negative.

In the result, an award is passed rejecting the claims of the petitioner. No costs.

Dated, this the 20th day of January, 1995.

THIRU K. PONNUSAMY, Industrial Tribunal
WITNESSES EXAMINED

For both sides : None

DOCUMENTS MARKED

For Work men:

Ex. W-1/26-2-91 : Letter filed by Management before the Asst. Labour Commissioner (C) II, Madras-6 (Xerox Copy).

For Management :

Ex. M.1/21-3-85 : Inspection Report (Xerox copy).

M-2/21-3-85 : Letter from Petitioner-workman to the Respondent/Management (Xerox copy).

M-3/24-5-85 : Charge sheet issued to Petitioner-workman (Xerox copy).

M-4/5-6-85 : Reply by Petitioner-workman to Ex. M.3 (Xerox copy).

M-5/25-9-85 : Letter from the Enquiry Officer to Petitioner-workman (Xerox copy).

M-6/20-11-85 : Proceedings to the Enquiry Officer (Xerox copy).

M-7/4-11-86 : Letter from Enquiry Officer to Petitioner-workman (Xerox copy).

M-8/13-11-86 : Proceedings of the Enquiry Officer (Xerox copy).

M-9/31-12-86 : Summing up of defence (Xerox copy).

M-10/11-2-87 : Show Cause notice issued to Petitioner-workman (Xerox copy).

M-11 : Findings of the Enquiry Officer (Xerox copy).

M-12/2-3-87 : Proceedings of Show Cause hearing given to the petitioner-workman by Disciplinary Authority (Xerox copy).

M-13/3-3-87 : do

M-14/3-3-87 : Show Cause summing up of defence (Xerox copy).

M-15/28-3-87 : Order of Disciplinary Authority (Xerox copy).

M-16/4-5-87 : Appeal preferred by the Petitioner-workman (Xerox copy).

M-17/30-11-87 : Letter from Appellate Authority to the Petitioner-workman (Xerox copy).

M-18/17-3-88 : Order of Appellate Authority (Xerox copy).

M-19/20-3-85 : Xerox copy of Cash balance book.

M-20/20-3-85 : Attendance Register (Xerox copy).
21-3-85

M-21/19-3-85 : Office order of respondent-bank (Xerox copy).

M-22/20-3-85 : Vault Balance Book (Xerox copy).

M-23/21-3-85 : Agricultural Loan Ledger (Xerox copy).

M-24/21-3-85 : Agricultural Loan Application (Xerox copy).

M-25/21-3-85 : Debit Cash Voucher (Xerox copy).

M-26/21-3-85 : Letter from Manager, Indian Overseas Bank, Kottar Branch, to the Regional Manager, Indian Overseas Bank, Regional Office, Madurai (Xerox copy).

M-27 : Statement showing cash balance of Indian Overseas Bank, Kottar Branch as on 19th March, 1985. (Xerox copy).

नई दिल्ली, 26 अप्रैल, 1995

का. आ. 1369---औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, ग्रिन्डलेस बैंक मद्रास के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण मद्रास के पंचपट को प्रकाशन करती है जो केन्द्रीय सरकार को 26 अप्रैल, 1995 को प्राप्त हुआ था।

[सं. एल-12012/15/88 डी-1-बी]
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1369.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Grindlays Bank, Madras and their workmen, which was received by the Central Government on the 26th April, 1995.

[No. 1-12012/15/88-D.I (B)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU
MADRAS

Monday, the 23rd day of January, 1995

PRESENT:

Thiru K. Ponnusamy, M.A. B.L., Industrial Tribunal.
Industrial Dispute No. 65 of 1988

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Grindlays Bank, p.l.c., Madras-1)

BETWEEN

The Workman represented by:
The General Secretary,

Grindlays Bank Employees' Union,
19, Rajaji Salai, Madras-600001.

AND

Chief Manager (Operation),
Grindlays Bank p.l.c.,
19, Rajaji Salai, Madras-600001.

REFERENCE :

Order No. L-12012/15/88-D.I(B), dated 26th September, 1988, Ministry of Labour, Government of India, New Delhi.

This dispute after restoration, coming on for final hearing on Wednesday, the 4th day of January, 1995 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Tvl. K. Chandru and D. Nagashila, Advocates appearing for the workman and of Thiru Georgian P. Morois, for King & Patridge, Advocates appearing for the Management and this dispute having stood over till this day of consideration, this Tribunal made the following

AWARD

This reference has been made for adjudication of the following issue :

"Whether the action of the Management of Grindlays Bank p.l.c. is justified in selecting Shri T. D. Rajan, as Head Cashier, by over-looking the claims of Asst. Head Cashiers? If not, to what relief are the Asst. Head Cashiers entitled to?"

2. The claim of the petitioner briefly stated is as follows : The Cash department and the Accounts Department have continued to be mainly water tight compartments and the inter-changeability of the employees from one compartment to the other is limited to the junior employees with double designation. In relation to the cash department, the bank had posts of Assistant Head Cashiers even prior to the Bank awards. The cash department was in-charge of a chief cashier who would be assisted by an Assistant Cashier. The category of employees designated as Cashiers in other banks went by the designation of "Shroffs" in the respondent-bank. The All India National & Grindlays Bank Employees Federation (the respondent bank was then known as National & Grindlays Bank Ltd.) entered into a Settlement with the Management of the respondent bank whereby the posts of Special Assistants and Head Clerks were created on the general side (Accounts). The Settlement also provided for the modalities for posting Special Assistants and Head Clerks on the general side and for posting Assistant Head Cashiers in the cash department. From time immemorial Assistant Head Cashiers have always been only from the ranks in the cash department itself. No person outside the cash department has ever been posted as Assistant Head Cashier. The post of Head Cashier has always been on the basis of promotion from amongst the Asst. Head Cashiers on the basis of seniority. This has been the custom, usage and practice for the past several decades. There was no case of supersession of any Assistant Head Cashier in the matter of promotion to the post of Head Cashier unless the concerned senior Assistant Head Cashier declines to accept the higher post/promotion. For the first time, the respondent bank violated the well settled, accepted principles and norms and also the custom, usage and practice by posting one T. D. Rajan Clerk-cum-Cashier as Head Cashier in the Sorrento (Adviser) branch with effect from September 1986. The said Shri T. D. Rajan was posted as Head Cashier superseding Messrs M. S. Somasekhar, V. Punyakoti, and C. K. Natarajan Table of the promotions made to the post of Head Cashiers from the rank of Assistant Head Cashiers in order of seniority from 1977 onwards as Annexure B to the statement of Claims. Annexure B will disclose that the aforesaid M. S. Somasekhar, V. Punyakoti, and C. K. Natarajan, are all seniors to Shri T. D. Rajan. Annexure E will also disclose that all three of them are Assistant Head Cashiers. The respondent Bank promoted a junior employee and superseded three senior employees only to create dissatisfaction amongst the employees and also as part of its policy to stir-up inter-union rivalry. The respondent-Management taking advantage of the pliability of the rival union and its acquiescence in such matters, promoted

a junior, superseding a member of the petitioner-union apart from two members of the rival union. The respondent bank is trying to take advantage of the acquiescence of the part of the minority rival union and further that the respondent is attempting to make the matter a fait accompli and to create a precedent for future supersession of senior employees. The action of the Management is nothing short of unfair labour practice. The Management's reply to the protests of the petitioner-union relating to the supersession of seniors and promotion of Shri T. D. Rajan, as Head Cashier, was that Shri T. D. Rajan was the most suitable person to be promoted posted as Head Cashier. Therefore, in the assessment of the management itself, Shri M. S. Somasekhar was considered not fit for promotion. Having taken up the position in September 1986, same respondent-management promoted M. S. Somasekhar as Head Cashier w.e.f. 1-4-87 and posted him to Mount Road branch. This action on the part of the Management is itself clear proof of bonafide on the part of the respondent and unfair labour practice underlying such supersessions. The modus operandi of the Respondent-Bank appears to be to create a precedence and justify supersession of senior employees and further to promote such superseded employees subsequently in an attempt to block the rightful and legitimate claims of the members of Petitioner-Union. The actions of the Management, are therefore, clearly biased against the Petitioner-Union and its members. In the matter of leave vacancies of officers on the general side, even the senior most Special Assistants are not allowed to officiate as Officers. In the Cash department, the Senior most Assistant Head-Cashiers officiate in the leave vacancy or other vacancy of the regular Head-Cashier. This is a fact which can be verified with reference to the records of the respondent-bank itself. Promotion to the post of Head Cashier should be only from amongst the Assistant Head Cashiers on the basis of seniority. The action of the Management in promoting Shri T. D. Rajan as Head Cashier is clearly an act of unfair labour practice. The double designation of Shri T. D. Rajan, has absolutely no relevance to the issue for the simple reason that T. D. Rajan has been utilised as a clerk on the general side almost exclusively and his experience in the cash department is just next to nothing. Any experience Shri Rajan can claim to have in relation to cash department is only as a cashier working in the cash counter (Shroff) and doing the work of either receiving cash or paying cash only. The Asst. Head Cashiers are entrusted with the duties of higher and more responsible in nature and Shri T. D. Rajan is a total stranger to all such duties. The promotion of T. D. Rajan is totally illegal and unjustified. It is just and necessary that this Tribunal should direct the respondent bank to fill the vacancies of Head Cashiers from amongst the Assistant Head Cashiers retrospectively from the date of such vacancies of Head Cashiers.

3. The defence of the respondent briefly stated is as follows.—The respondent is a banking-company doing banking business. The service conditions of the workmen staff in the bank are governed by the provisions of the Sastry Award as finally modified and enacted by the Industrial Disputes Banking Companies Decision Act, 1955, the Industrial Disputes Banking Companies Decision Amendment Act 1957 and the provisions of the Award of the National Industrial Tribunals, Mr. Justice K. T. Desai, in reference No. 1 of 1960, which award inter-alia modified certain provisions of Sastry Award as further modified by the Settlements dated 19-10-66, 12-10-70, 23-7-71, 8-11-73, 1-8-79, 31-10-79, and two subsequent settlements dated 8-9-83 and a settlement dated 17-9-84. Clause 20.1 of the Bipartite Settlement dated 19-10-66 read with Clause 1 of the Bipartite Settlement dated 19-10-66 read with Clause 1 of the Bipartite Settlement dated 31-10-79 clearly provides as follows :

- (i) There should be no restriction on combination of designations at rural branches. A rural branch will be an office situated at a centre with a population of less than 10000. Having regard to the special characteristics of these branches, the Management shall be free to work out the staffing pattern based on the needs of the organisation.
- (ii) At Semi-Urban branches, not more than three designations can be combined.
- (iii) Not more than 2 designations will be combined in metropolitan and urban branches, it is hereby clarified that

- (a) where a person has been appointed a "Clerk-Typist" it will be combined designation,
- (b) entrustment of duties attracting special allowance will not amount to granting an additional designation.

According to Clause 20.2 of the Bipartite Settlement dated 19-10-66, subject to the above terms and conditions an employee with combined designations will be entitled to appropriate special allowance, if an allowance is provided for, in any of his designation. Determination of staff pattern or staff requirement has always been a managerial function as per Bipartite Settlement mentioned above. Similarly deployment of Labour in order to get the best out of them is also a management function. Besides it was also agreed that a person can also be in charge of a branch in a rural area, provided the workload is not much. In the past the recruitment of staff was clearly on the basis of water tight compartment namely cashiers or as clerks is not only false but also misleading because the petitioner himself admits in the claim statement that Bipartite Settlement mentioned above provided for double designations like clerk-cum-cashier, Cashier-cum-Typist etc. and the appointment of the people with double designations as mentioned above. From the very beginning there was interchangeability in the respondent-bank in spite of the petitioner's objections on several occasions the combined designations provided by the above mentioned Bipartite Settlements stands testimony to it. The provisions of Settlement dated 6-1-84 between the Respondent-Bank and All India Grindlays Bank Employees Association and Settlement dated 16-9-70 between the respondent bank and the All India Grindlays Bank Employees Federation provides for special allowance only to Head Clerks, special Assistants, and Asst. Head Cashiers who are entrusted with additional responsibility than the routine works. Save and except for special allowance attracting job positions of the Assistant Head Cashiers, Head Clerks and Special Assistants the appointments in the special allowance category of posts are not governed by and not subjected to the provisions of any settlement, awards, agreements, understanding between the Bank and the Union. Though Sastry Award provided for Special Allowance, for certain jobs involving special skills required for discharging the work, carrying it with greater responsibility than the routine work, neither the Sastry Award nor the Desai Award was in a position to codify duties, since the duties differed from Bank to Bank. It will be noticed at this stage that under various awards and Settlements, applicable to the bank there are only two categories of workmen i.e. Subordinate and Clerical cadre. The Clerks in the Accounts Department and the Clerks (though termed as cashiers) in the cash department are really only in the clerical cadre and they perform only the clerical duties assigned to them. In effect, therefore, an employee termed as cashier is also a clerk, though there was resistance from the employees for interchangeability or job rotation between the cash and accounts department. The respondent therefore submits that it is in this back ground that the respondent was compelled to appoint clerk-cum-cashier so that the workmen staff in the clerical cadre could be utilised to the best advantage of the respondent work depending upon the exigencies of the administration. The dispute in question relates to the appointment to the job position of the Head Cashier and not to the job position of special assistant or a Head Clerk or an Assistant or Head Cashier. An employee in terms as cashier as also clerk. Any person possessing such combined designation of clerk-cum-cashier is treated as eligible for the post of Head Cashier. Though there is a separate subordinate cadre and electrical cadre, all the cashiers of the respondent-bank come under the clerical cadre and a clerk-cum-cashier is also a cashier and thereby eligible to the post of Head Cashier which is well within the purview of the Bipartite Settlements mentioned above. Though the Settlement dated 16-9-70 prescribed the mode of appointment of Assistant Head Cashier from cash department it clearly provides that only clerks from cash department could be appointed as Assistant Head Cashier. A person with dual designation of Clerk-cum-Cashier strictly falls within this category. The post of Head Cashier has always been on the basis of promotion from amongst the Assistant Head Cashiers on the basis of seniority is false and misleading. If it is a post based on seniority, the bank need not call for fresh applications for the post from amongst the employees. Besides all the three persons of the petitioner-union who are alleged to have been superseded, submitted applications and attended interview for the same. It has been in the practice of the bank

to appoint the Assistant Head Cashiers by selecting the best among competitors. The question of suppression of any Assistant Head Cashiers in the matter of appointment to the post of Head Cashier on probation will not arise when there is competition among the employees, and when there is a separate board constituted for selecting the best, among the applicants on the basis of personality analysis in accordance with job suitability as has been done in the present case. Whenever a vacancy exists for the post of Head Cashier, the respondent always displays a notice inviting applications from those working in the cash department for appointment as head cashier on probation. This inter-alia makes the clerk-cum-cashier eligible to such post. The fact of the matter is that everytime there was a vacancy of a Head Cashier the bank always displayed notice inviting applications from those working in the cash department, for an appointment of Head Cashier on probation. Depending upon the suitability of the employee so appointed as Head Cashier, he was confirmed in the services of the bank as Head Cashier after the expiry of the probationary period. After the receipt of applications from employees for the Head Cashier's job position, the respondent interviewed, the candidates who have applied for the job position and from among those who were found suitable, final appointment to the Head Cashier's job position was made by the respondent. In the year 1982, when there was a vacancy of a Head Cashier's job position in Mount Road Branch, the respondent had put up a notice inviting applications from those who were working in the Cash Department. The respondent affirms that those persons who applied for the job position of Head Cashier were subjected to an interview and appointment was made on the basis of the suitability of the candidates. For the year 1983, 1984, 1985, 1986 and 1987 similar notices were displayed and candidates were chosen as Head Cashiers on the basis of an interview. In the instant case, also, when there was a vacancy of a Head Cashier's job position in the respondent's Sorrento Branch, the Management put up a notice inviting applications from amongst those who were working in the cash department. The respondent had never violated the accepted principles and norms in selecting T. D. Rajan, a clerk-cum-cashier, as Head Cashier in Sorrento (Adayar) Branch with effect from September 1986. In the circumstances the Management has the discretion to select the person for such appointment, from amongst the applicants based on the suitability of the candidates. Administrative efficiency and exigency warrant that there should not be promotion from one grade to another always depending upon the length of service alone, but his efficiency, suitability etc. and the respondent therefore conducts personality assessment by a Special Board from among the applicants to judge these qualities. The fact that even for the present disputed post of Head Cashier, interviews were held and interviewers gave their assessment regarding the personality of the candidates by awarding marks separately, stands testimony to the facts mentioned above. The Union's contention of past practices, conventions, usage existing norms regarding selection on the basis of seniority from amongst the Assistant Head Cashiers is not only against truth and facts but also an obvious and wilful suppression of material facts itself. For the years 1983, 1984, 1985, 1986 and 1987 Head Cashiers were appointed only on the basis of interview, as usual after display of notices for applicants. It will be noticed that Mr. T. D. Rajan was the most suitable candidate and therefore the respondent was within its right to appoint Mr. T. D. Rajan for the job position. The supersession of M/s. M. S. Somasekhar, V. Puniyakoti, and C. K. Natarajan, and the other applicants to the same post, by T. D. Rajan will not arise at all. T. D. Rajan was appointed because he came out successful in the personality assessment test-interview. The selection is not based on the length of service but on the overall suitability of the applicants. It is therefore false to say that Mr. T. D. Rajan was promoted only with the view to create dissatisfaction amongst the employees and also to stir up inter-union rivalry. The question of unfair labour practice will never occur when there is a selection based on personality assessment, and the most suitable is selected, and subsequently appointed among the competitors. It is true that M. S. Somasekhar was not suitable as T. D. Rajan in September, 1986, personality assessment. But subsequently Somasekhar again applied for the post of Head Cashier when a vacancy arose in the Mount Road Branch. Somasekhar was also interviewed alongwith the other applicants, and Somasekhar was selected and appointed as Head Cashier with effect from 1-4-87 and was posted in the Mount Road Branch. The respondent is not of the

opinion that a person found unsuitable in the previous year shall remain unsuitable in the subsequent tests, held in the following year. The allegation that the respondent wants to block the rightful and legitimate claims of the members of the petitioner-union is against truth and facts and hence denied. The selection throughout has been impartial and fair and hence the allegation that the respondent is biased against the members of the petitioner-union is false and unwanted. The issue regarding officiating in a higher cadre is different from assigning duties on temporary basis in job positions attracting special allowance in the clerical cadre which is governed by the Settlement dated 10th October, 1966. Chapter IX of the above Bipartite Settlement states that officiating is always a higher cadre, for example from clerical to Management cadre. The conditions for payment of officiating allowance is also laid down in that chapter. The right to make officiating arrangements has always been an administrative function of the respondent. The respondent has not found any necessity to make officiating arrangements in the management cadre from among the clerical employees and therefore such officiating opportunities have not been given to the clerical employees. Since the post of Head Cashier carries with it the managerial function and crucial for running a branch, Asst. Head Cashiers have been given chances to officiate in the leave or other vacancies of the Head Cashier without conducting personality assessment on a open competitive basis, which is purely on administrative discretion of the respondent which cannot be called into question. It would be a discrimination and unfair labour practice if only Asst. Head Cashiers were appointed as Head Cashiers when persons possessing combined designation like cashier-cum-clerk is also eligible for the posts. The statement that T. D. Rajan has got no experience in cash department is against truth and facts. The fact that T. D. Rajan worked as Cashier and has worked either as receiving or paying cashier itself is a sufficient experience. Besides, T. D. Rajan prior to his appointment as Head Cashier was not clerk alone. He was a cashier-cum-clerk in the respondent bank. Further the Asst. Head Cashier's position in the respondent bank is only a special allowance attracting job position and not a promotional position under the various awards and settlements referred to, above. In other words the post of Asst. Head Cashier is not in a higher cadre, but is also in clerical cadre and a Asst. Head Cashier is therefore an ordinary cashier like other cashiers except to the extent, that he shoulders certain additional responsibilities or discharges certain additional duties as compared to that of an ordinary cashier for which he is paid an additional allowance for discharging those additional duties. The fact that T. D. Rajan was a clerk-cum-cashier makes no difference when the vacancy of Head Cashiers job position was thrown open to all the persons who were working in the cash department including clerk-cum-cashiers. The post of Head Cashier is not based on seniority, but on the basis of his personality assessment prepared by the Board of interviewers consisting of 3 members constituted for that purpose. Of the four persons, Somasekhar, Puniyakodi, Natarajan and T. D. Rajan, T. D. Rajan was found to be the most suitable candidate for the post of Head Cashier on probation and the Management rightly appointed him as such. When the petitioner union makes the post of Head Cashier as a promotional post from amongst the Asst. Head Cashiers, it wilfully suppresses the material fact that it is a post based on open competition and selection by a Board specially constituted and thereby the petitioner union wants to mislead the Court. In view of the reasons stated above, this tribunal may be pleased to dismiss the above I. D. No. 65/88 with costs under circumstances and thus render justice.

4. The Issue for consideration is: "Whether the action of the Management of Grindlays Bank p.l.c. is justified in selecting Shri T. D. Rajan, as Head Cashier by over-looking the claims of Asst. Head Cashiers. If not, to what relief are the Asst. Head Cashiers entitled.

5. The Issue: The formula and the conditions for appointment of Special Assistants and Head Clerks are proved by Ex. M. 1. The Settlement dated 15th September, 1970 entered

into by the Management and the Union is evidenced by Ex. M. 2. There was a vacancy for Head Cashier Post at Sorrento branch Adayar, Madras is substantiated by Ex. M-3. Applications for the said post were called for from eligible members of Cash department staff of branches, Madras Central, is disclosed by Ex. M-3, M-14, M-18 and M-20. Somasekhar applied for the said post is made out by Ex. M. 4. T. D. Rajan, applied for the said post is revealed by Ex. M. 5. Puniyakodi is one of the applicants for the said post is substantiated by Ex. M-6. He has not stated his seniority in Ex. M. 6. Natarajan, applied for the said post, is evidenced by Ex. M. 7. The interview for the above said post was fixed at 3.00 p.m. on 2nd September, 1986 is substantiated by Ex. M-8. Rajan secured 25 marks and he was recommended for the said post, is borne out by Ex. M-9. Rajan was appointed as Head Cashier for the Sorrento branch is evidenced by Ex. M. 9. The leave availed by Somasekhar, Natarajan, Rajan, and Puniyakodi, is furnished in Ex. M. 10. Exhibit M. 11 contains the date of joining, qualification, age, merit dating, and the department in which they worked, in respect of Somasekhar, Natarajan, Rajan and Puniyakodi, Rajan secured highest marks in the interview and he was appointed as Head Cashier of the above said branch bank is proved by Exs. M. 12 and M. 13. Intimation for the interview was sent to the individual is established by Ex. M. 15. The merit rating of Damodharan, Manu Rajarao, Ranganathan and Padmanabhan, is established by Ex. M-16. Manu Raja was appointed as Head Cashier is borne out by Ex. M. 17. The appointment of Manu Rajarao was not objected by the Union, is disclosed by Ex. M. 17. Damodharan and Padmanabhan secured 27 marks each in the interview, is revealed by Ex. M-19. The interview was fixed on 12th July, 1986 each candidate was given 10 minutes time in the interview, is disclosed by Ex. M. 21. Sampathkrumaran, was appointed as Head Cashier, was senior most. His appointment was not objected by the petitioners, is evidenced by Ex. M. 21. Applications were called for, for the post of Head Cashier at Grindlays Centre is disclosed by Ex. M. 22. Somasekhar was selected and appointed as Head Cashier, after the personal interview, is established by Ex. M-23. Somasekhar was promoted and appointed as Head Cashier at Madras Main branch is borne out by Ex. M. 23.

6. Suitability and seniority-cum-educational qualifications are the criteria for appointment of Head Cashier. Seniority alone is not the sole criterion for promotion as Head Cashier. The respondent has not adopted unfair labour practice in selecting and promoting Rajan as Head Cashier. There is no usage, or custom or practice to the promotion as Head Cashier. So, there is no question of violation of usage or custom or practice by the Management. There is no question of supersession of seniors. Most suitable candidate is promoted to the post of Head Cashier. Action of the respondent does not lack bonafide. The action of the respondent in promoting Rajan as Head Cashier is not biased against Union and its members. Seniority-cum-merit must be the basis for the promotion as Head Cashier. Promotion of Rajan as Head Cashier is not an act of unfair labour practice on the part of the Management. Promotion of Rajan as Head Cashier is not illegal and unjustified. Promotion of Rajan as Head Cashier is legal, proper and justified. The promotion need not be from Assistant Head Cashiers. Eligibility is the criterion for the promotion of Head Cashier. Suitability and merit are taken into account by the Management in promoting Rajan as Head Cashier. After test and interview, Rajan was selected and promoted as Head Cashier. Rajan served as Assistant Cashier. Importance is given to dress. Seniority alone cannot be the criterion to the promotion of Head Cashier. Head Cashier is a selection post. Rajan is a graduate. Somasekhar became Head Cashier before the reference. The promotion of Natarajan as a Head Cashier was not attacked by Union. There are two factions in the bank. Rajan belongs to one faction. The present I.D. is filed out of jealousy and motive and politics. There is no question of over-looking Somasekhar, Puniyakodi and Natarajan in promoting Rajan as Head Cashier. Reference is not specific, who is the Asst. Cashier is not stated in the claim petition. 4 branches in Madras is considered as one unit for seniority, and promotion is irrelevant. Seniority is not the only criterion for promotion as Head Cashier. Mark is not manipulated. Method adopted by the Management is not to provide junior. The method adopted by the Management is neither unfair, nor arbitrary. No question of scien-

tific method adopted arises. Seniority is not given a go-by. There is no question of junior is being preferred. Interview conducted is not bad. Rajan acted as Head Cashier and Asst. Cashier. Rajan is a graduate. He served as acting Head Cashier and Asst. Cashier. The Management after conducting tests and interview, found that Rajan is the suitable person to be promoted as Head Cashier. So, the selection and appointment of Rajan as Head Cashier by the Management is after conducting tests and interview and after taking the suitability and merit of Rajan into consideration by the Management. For the foregoing reasons, this Tribunal comes to the conclusion that the action of the Management of Grindlays Bank p.l.c. is justified in selecting Shri T.D. Rajan as Head-Cashier by over-looking the claims of Asst. Head Cashiers and as such the Asst. Head Cashiers are not entitled to any relief. The first part of the issue is found in the affirmative and the second part of the issue accordingly.

In the result, an award is passed rejecting the claims of the petitioner-Union. No costs.

Dated, this the 23rd day of January, 1995.

THIRU K. PONNUSWAMY, Industrial Tribunal

WITNESSES EXAMINED

For both sides : Nil.

DOCUMENTS MARKED

For Workmen : Nil.

For Management :

- Ex. M-1 :—Formula and Conditions for appointment of Special Assistants and Head Clerks (Xerox copy).
- Ex. M-2 :—Annexure II to Settlement dated 16-9-70 (Xerox copy).
- Ex. M-3/18-8-86 :—Office note calling for application for the post of Head Cashier at Sorrento Branch, Adayar (Xerox copy).
- Ex. M-4/22-8-86 :—Application from Thiru M.S. Somasekhar to the Management-Bank for the post of Head Cashier (Xerox copy).
- Ex. M-5/23-8-86 : Application from Thiru T.D. Rajan to the Management Bank for the post of Head Cashier (Xerox copy).
- Ex. M-6/22-8-86 : Application from Thiru V. Puniyakoti to the Management Bank for the post of Head Cashier (Xerox copy).
- Ex. M-7/22-8-86 : Application from Thiru C.K. Natarajan to the Management Bank for the post of Head Cashier (Xerox copy).
- Ex. M-8/29-8-86 :—Aide Memoire regarding allotment of time to candidates in interview (Xerox copy).
- Ex. M-9/18-9-86 :—Recommendation of Chief Manager, Credit & Marketing of the Management-Bank for appointing Thiru T.D. Rajan in the post of Head Cashier (Xerox copy).
- Ex. M-10 :—Leave record of Tvl. S. Somasekhar, C.K. Natarajan, T.D. Rajan & V. Puniyakoti Head Cashiers (Xerox copy).
- Ex. M-11 :—Bio-data of Head Cashiers Tvl. M.S. Somasekhar, C.K. Natarajan, T.D. Rajan, and V. Puniyakoti (Xerox copy).
- Ex. M-12 :—Service records of Tvl. M.S. Somasekhar, C.K. Natarajan, T.D. Rajan and V. Puniyakoti (Xerox copy).
- Ex. M-13/18-9-89 :—Letters from the Management-Bank to Thiru T.D. Rajan promoting to the post of Head Cashier (Xerox copy).
- Ex. M-14/23-1-82 :—Office note calling for applications to the post of Head Cashier at Mount Road Branch (Xerox copy).
- Ex. M-15/23-4-82.—Letter from Management-Bank to Tvl. K. Ranganathan, A.M. Padmanabhan, V. Manu-

raja Rao, and W.H. Damodharan calling for interview for the post of Head Cashier (Xerox copy).

- Ex. M-16/26-4-82 :—Interview records for the post of Head Cashier (Xerox copy).
- Ex. M-17/29-4-82 :—Letter from General Manager, Southern India, Madras to the Manager, Eldarado, Nungambakkam, posting Thiru V. Manurajarao as Head Cashier w.e.f. 3-5-82 (Xerox copy).
- Ex. M-18/30-1-84 :—Office Notice calling for applications for the post of Head Cashier at Sorrento branch of the Management-bank (Xerox copy).
- Ex. M-19 :—Service records of Head Cashiers Tvl. M.S. Somasekhar, C.K. Natarajan, T.D. Rajan, W.H. Damodharan, & A.M. Padmanabhan, their conduct certificates & the appointment order of W.H. Damodharan (Xerox copy).
- Ex. M-20/18-6-86 :—Office notice of the Management-Bank calling for applications for the post of Head Cashier at Corrento branch (Xerox copy).
- Ex. M-21 :—Service records of Thiru A.M. Padmanabhan and others & appointment order of Thiru A.M. Padmanabhan (Xerox copy).
- Ex. M-22/16-2-87—Office notice for application for posts of Head Cashier (Special rates of pay) at Grindlays Centre (Xerox copy).
- Ex. M-23/7-3-87 :—Letter from Management Bank to Tvl. C.K. Natarajan and 4 others calling for a personal interview for the post of Head Cashier, service records of them, and appointment order, of Thiru M. Somasekhar as Head Cashier, (Xerox copy).

नई दिल्ली, 26 अप्रैल, 1995

का. आ. 1370—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कलकत्ता पोर्ट ट्रस्ट के प्रबन्धन के संबंध में निदेशित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26 अप्रैल, 1995 को प्राप्त हुआ था।

[सं. एल 32012/1/88-डी IV ए सी III (बी)]
बि. एम. डेविड डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1370.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Calcutta Port Trust and their workmen, which was received by the Central Government on 26-4-1995.

[No. L-32012/1/88-D.IV (A)/D.III (B)]
B. M. DAVID, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 151 of 1988

PARTIES :

Employers in relation to the Management of Calcutta Port Trust, Calcutta

AND

Their Workmen.

PRESENT :

Mr. Justice K. C. Jagadeb Roy, Presiding Officer.

APPEARANCE :

On behalf of Management—Mr. G. Mukherjee, Senior Labour Officer (I. R.).

On behalf of Workmen—Mr. S. Chatterjee, Joint Secretary of the Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

The Central Government by Order No. L-32012/1/88-D.IV (A)/D.III (B) dated 27-6/29-7-1988, in exercise of its power conferred under clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Calcutta Port Trust, Calcutta in imposing punishment of reducing by 3 stages for a period of 3 years with permanent effect with the provision that on expiry of the said period, he will be allowed to earn grade increment from that stage, to Shri Birendra Nath Bhattacharjee, now Shed Writer, represented by Calcutta Port and Shore Mazdoor Union, Calcutta, is legal, justified and proper. If not, to what relief the concerned workman is entitled ?"

2. The Calcutta Port and Shore Mazdoor Union has taken up the case of the workman and had participated in the conciliation proceeding which ended in failure and has also represented the workman in the present reference. Both the Union and the Management have filed their written statements, followed by a rejoinder by the workmen to the written statement of the Management and have led their evidence. The workman had examined himself as the only witness on his behalf whereas the Management had examined two witnesses from its side, of whom MW-1 is the Deputy Docks Manager, Calcutta Port Trust and MW-2 is also a Deputy Docks Manager, Labour in the Calcutta Port Trust.

3. In the written statement of the Union, it was averred that the workman who was a Shed Writer working under the Traffic Department of the Calcutta Port Trust is a member of the Union since 1972. He was placed under suspension on the 1st March 1982 by order dated 25-2-1982 pending a departmental enquiry. He was charged for misconduct in as much as while functioning as Ware House Clerk in 10 K.P.D. he showed incorrect weights in the re-tally dated 6-8-1981 in respect of the sale consignment of 4 packages and a quantity of loose steel sheets against Lot Nos. 331 and 332 of Sale No. 5/81, thereby grossly misleading custom authorities in the process of determining the 'Reserve Price', thereby becoming instrumental to the fixation of a lower Reserve Price. After the conclusion of the departmental enquiry on 12-6-1982, the Enquiry Officer submitted his report on 10-7-1982, wherein the Enquiry Officer found the workman not guilty of the charge brought against him. Therefore the order of suspension issued by the Traffic Manager, Calcutta Port Trust was vacated and the workman was allowed to resume his duties with effect from 4-8-1982. But by a communication No. EHM 338/C dated 18-8-1982 the Traffic Manager who is the disciplinary authority of the workman while sending the copy of the finding of the Enquiry Officer to the workman intimated the workman proposition to inflict the following punishment as of discipline measure, not being in agreement with the statement of the Enquiry Officer. It has proposed that the pay of the workman should be reduced by 3 stages for 2 years with permanent effect with the provision that on expiry of the said period he would be allowed to grade increment from that stage, and Shri Bhattacharjee the workman was required to show cause as to why the proposed punishment would not be inflicted on him. On receiving the show cause letter dated 18-8-1982 from the Traffic Manager, which was received by the workman on 17-9-1982, a reply to the said show cause notice was submitted by the workman on 27-9-1982.

According to the Union after going through the reply of the workman to the show cause notice, the Traffic Manager had informed the workman Shri Bhattacharjee that after consideration of his representation he was satisfied that the

charge against him was established and passed the order inflicting the punishment as was proposed by him in his letter dated 18-8-1982. The workman however preferred an appeal to the Chairman Calcutta Port Trust on 2-2-1983 against the said conclusion of the disciplinary authority but was informed by the Docks Manager, Calcutta Port Trust by his letter dated 14/19 September 1983 that his appeal dated 2-2-1983 had been forwarded to the Deputy Chairman who in turn had rejected the appeal on the ground that he did not find any justification to interfere with the order after taking into consideration the grounds raised in the appeal. The Appellant order categorically stated that the weight of the packages shown by the workman was very casual and weights shown had not even the approximate weight of the packages and he considered this casual action to be a misconduct and did not find any justification to interfere with the order already passed. The workman not being satisfied with the order of the Deputy Chairman, made a further representation to the Chairman on 14-2-1984 for review of the order which was also rejected by the authority and the Traffic Manager communicated to him by his letter dated 26-6-1984 that since the appeal had already been disposed by the Deputy Chairman, such review petition dated 14-2-1984 could not be entertained. The Union raised the dispute before the Assistant Labour Commissioner (Central) but the conciliation having failed, the present reference is made.

4. In their written statement the Union has canvassed two points in favour of the workman.

- (a) while the Enquiry Officer had found that the statement of allegation made against the workman Shri Bhattacharjee held good, he however did not find Shri Bhattacharjee guilty of the charges brought against him, the disciplinary authority accordingly should not have differed from the conclusion of the Enquiry Officer appointed by him and would not have imposed the punishment on the workman holding that the workman was guilty of the charge contrary to the finding of the Enquiry Officer.
- (b) that the disciplinary authority has not passed its order how the period of suspension was to be treated, the punishment was discriminatory against the workman since in case of one Monoranjan Chakraborty who was working as Ware-house Clerk was found guilty of the charges in a departmental proceeding and though the Traffic Manager inflicted the same punishment as has been inflicted against the workman, the punishment was reduced by the appellate authority. The Union accordingly submitted in the written statement that the workman was required to be absolved from the charge brought against him.

5. The Management in its written statement has stated that the workman was working as a "Ware-house Clerk" at 10 KPD shed in the year 1981. One of his principal duty as a Ware-house Clerk was to prepare the re-tally of the unclaimed goods lying in the Port's custody for the purpose of inclusion in the said list and that the Ware-house Clerk was to record the proper marks if any, exact description, quantity and weights of the goods in the re-tally, so that an appropriate reserve price could be fixed by the custom authority. Shri Bhattacharjee was entrusted the job of re-tally of some unclaimed goods including 4 packages and some quantity of loose sheets which was marked as Lot Nos. 331 and 332 of Sale No. 5/81 for the inclusion in the forth-coming sale. The re-tally was prepared by the workman on 6-8-1981 wherein he mentioned that the four packages weighed 400 Kgs. whereas the loose sheets weighed 25 Kgs. On the custom inventory which was done on 11-8-1981, when the weighment of the goods were made, it was found that the 4 packages and the quantity of loose sheets against the sale lot Nos. 331 and 332 were 870 Kgs. and 140 Kgs. respectively and this wrong weight was shown by the workman with the ulterior motive and personal gain and misled the custom authority in determination of the correct reserve price of the said goods. This conduct of the workman was seriously viewed and the departmental proceeding was initiated against him. The workman was also placed under suspension from pay and duty with effect from 2-3-1982 pending the enquiry.

The workman was issued with a charge memorandum together with a statement of allegations and statement of charge by the Traffic Manager, the disciplinary authority of the workman. Said memorandum was dated 6-5-1982. The workman had also replied to the charge by his letter dated 26-5-1982. Shri A. K. Chakraborty the Superintendent, Traffic was appointed as Enquiry Officer whereas Assistant Superintendent Shri A. Moitra was nominated as Presenting Officer. The enquiry was held on different dates and came to be concluded on 12-6-1982. Shri Bhattacharjee was given chance to defend himself as well as to inspect the relevant documents in course of the enquiry. Shri K. K. Roy Ganguly the then joint secretary of the Calcutta Port and Shore Mazdoor Union was allowed to defend the workman at the enquiry. Shri Bhattacharjee was examined by the defence personal and was cross examined by the Presentation Officer and at no stage, Shri Bhattacharjee or his defence personal had raised any voice alleging that natural justice was violated in his case. The Enquiry Officer submitted his report to the disciplinary authority on 20-7-1982. While the Enquiry Officer in his finding held that the statement of allegations against Shri Bhattacharjee held good, gave his finding that Shri Bhattacharjee was not guilty of the charge. The disciplinary authority namely the Traffic Manager however did not agree with the later part of the finding of the Enquiry Officer and held that it had been established in the enquiry that the workman had issued incorrect weights in the re-tally without weighing the packages at all and therefore was guilty of the charge. Accordingly after giving show cause notice proposing the impugned punishment and after consider the reply to the said show cause notice, the disciplinary authority namely the Traffic Manager passed the order imposing the punishment on Shri Bhattacharjee on 10-11-1982.

It was admitted in the written statement of the management were more repetitions and need not be re-stated again. man to the Chairman, the said appeal was dealt with by the Deputy Chairman who was the appellate authority under the Regulation who considering the grounds taken in the appeal and finding no justification to interfere with the orders of the disciplinary authority, rejected the appeal. The order of the appellate authority thereafter was communicated to the workman by letter dated 8-9-1983 of the Traffic Manager. A representation however was made by Shri Bhattacharjee to the Chairman, Calcutta Port Trust, by his letter dated 14-2-1984. The Traffic Manager has informed the workman that no second appeal was provided under Calcutta Port Trust Employees (Discipline and Appeal) Rules 1964. The proceeding was conducted following the principle of natural justice in accordance with the Calcutta Port Trust Employees (Discipline and Appeal) Rules 1964 and due opportunity was given to the workman to defend his case and as such the impugned order should not be interfered with.

6. Most of the other statements in the written statement were more representations need not be re-stated again. But the allegations made in the written statement of the Union that the Management has at one stage agreed during the conciliation proceeding to reduce the quantum of punishment, has been specifically denied by the Management in their written statement stating that no such commitment was ever given by the Management during the conciliation proceeding. The written statement further states that though it was not agreed by the Management that they would reduce the punishment but the representative of the Union had stated during the joint discussion before the Assistant Labour Commissioner (Central) that the Union was willing to have a bilateral discussion with the Management if the Management agreed to reduce the punishment, which according to the Management shows that the Union was satisfied about the fact that the workman was not free of the charges and as such wanted merely the reduction of the punishment. The Management has denied in the written statement that the goods re-tallied were carrying "Nil" marks. The workman did not make any grievance while making the re-tally that there was non availability of the weighing scale and he was facing difficulties in preparing the said re-tally. The allegations of the workman in the written statement of the Union that the superior officers of the workman Shri Bhattacharjee were fully aware of the absence of the weighing machine in the premises, was not correct. It was denied by the Management that

the contention of the Union in paragraph 38 of their written statement saying that it was not a fact that the weights shown in the sale consignment in the retailies No. 4 of 3-3-1981, No. 2414 of 1-4-1981 (Ex. 3 KPD), No. 2409 of 6-4-1981 (Ex. 3 KPD), No. Nil of 7-7-1981 (Ex. 12 KPD), No. 122 of 7-3-1981 (Ex. 11 KPD), No. 125 of 10-3-1981 (Ex. 11 KPD) and No. 1271 of 10-3-1981 (Ex. 11 KPD) were shown on approximate basis on visual assessment. They have also denied that the higher authorities had ever any knowledge about this. The Management also denied that there was any procedure in vogue prior to issuance of circular letter dated 23-10-1981 that the absence of the stencilled weights approximate weights assessed on visual estimation were used to be mentioned in the re-tallies for goods to be included in the sale. It was also denied by the Management that most of the sale consignments having no stencilled weights were shown in the retailies with approximate weights. The Management however submitted that as there was some discrepancy in the weights found in the retailies in the sale consignments prepared by the different staff of different section, the circular letter dated 23-10-1981 was issued to make the staff alert of the importance of showing correct weights in the retailies and on 18-3-1981 the Docks Manager had instructed to all concerned to furnish correct weights of sale cargo in the retailies. According to the written statement of the Management, the workman had not exhausted his efforts to get the actual weight of the consignment and had not reported to his superior in this regard if he could not get the correct weightment. It is specifically stated in the written statement that the preparation of the retailies of the sale consignment is one of the duties of the Ware-house Clerk and it was his duty to mention the correct weight of the goods to be included in the sale. It is further stated in the written statement of the Management that the custom authority after going through the weights made in the retailies, became suspicious of the correct weight and took the weightment themselves which revealed wide difference between the correct weight and weight mentioned in the retally by Shri Bhattacharjee and the Management denied the assertions of the Union that the custom authority acted illegally and unfairly in weighing the goods in determination of the correct reserve price. It is also denied by the Management that the Management had any pre-conceived mind against the workman and that the workman was suspended out of such pre-conceived mind. Accordingly the Management contends in the written statement that the enquiry was done in conformity with the principle of natural justice, following the Calcutta Port Trust Employees (Discipline and Appeal) Rules, 1964 and the punishment being adequate need not be interfered by the Tribunal.

7. The Union examined the workman as its sole witness. He has stated in his evidence that the re-tally could not be done before 8-5-1981 as there was no weighing machine and he had submitted retally of the 4 packages only approximately, so also he mentioned about the approximately weight of the loose sheets. He admitted in his evidence that the custom authorities found the 4 packages to have weighed 870 Kgs. and sheets having weighed 140 Kgs. He admitted also that it was the duty of the Ware-house Clerk to submit the re-tally. He also admitted that he had not shown in the re-tally sheet that the weight mentioned by him was only approximately and was done on visual basis. He also admitted that even though he took re-tally on 9-4-1982, he could not file the same before 8-5-1981. He has admitted that he has deposed in the enquiry and so also A.S. Sales and Shed Foreman to have deposed in the enquiry. He has stated nothing in his deposition to show that there was violation of any principle of natural justice in the enquiry or that he was denied any opportunity to defend himself. He admitted that he had made the re-tally.

8. MW-1 who is the Deputy Docks Manager was appointed as the Enquiry Officer in the case when he was working as the Superintendent of the Calcutta Port Trust. He had stated that he Traffic Manager was the disciplinary authority, which also not challenged on behalf of the workman. Apart from proving the exhibits on behalf of the Management, he had stated that the workman had taken part in the enquiry and was supplied with the copies of the proceeding and was assisted by his representative. Neither the defence helper nor the delinquent ever

took any objection regarding the manner of enquiry conducted by him. According to him all reasonable opportunities were given to the delinquent to defend himself in the enquiry. This witness already worked in the outdoor of the Calcutta Port Trust and had experience of the outdoor work of the C.P.T. According to him at the time of re-tally, the cargo for sale do not carry stencilled weight at all. When the cargo do not carry stencilled weight, the producer is to weigh by measuring scale. Such measuring is done in the port area. If the measuring scale is not available, that fact should be informed to the authorities. In auction the correct weight of the package should be given.

9. The second witness (MW-2) for the Management who is a Deputy Docks Manager, was a Superintendent on Special Duty in 1982. He also deposed as a witness. According to him there are circulars issued from the Traffic Department from time to time requiring to indicate correct weight. The circular was marked Ext. M-3. During 1981 he was the Assistant Superintendent, Sales. When mistakes are found in the weights, auction were immediately cancelled on detection of such mistakes. According to him the custom authority was not bound to accept the weights that were supplied by the authority but generally they accept the same.

10. Since the law is well settled that the Tribunal is not required to give answers which are not referred to in the schedule of reference, accordingly I am not called upon to answer if the order of the disciplinary authority was wrong in not mentioning how the period of suspension is to be treated, as it is not a part of the schedule of reference to be answered. I am to only consider and answer if the imposition of punishment or reducing by 3 stages for a period of 2 years with permanent effect with a provision that on the expiry of the said period the workman shall be allowed to earn grade increment is legal, justified and proper and if not what would be the relief he is entitled to. A reference can be made to the case of Punjab Khand Udyog Ltd. vs. Labour Court, Bhatinda and Anr. reported in FLR (59) 677 wherein the Punjab and Hariyana High Court held that the jurisdiction of the Tribunal in industrial dispute is limited to the point specifically referred for adjudication and to matter incidental thereto and the Tribunal cannot go beyond the terms of reference. The question as to what should have been the order of the disciplinary authority regarding the period of suspension cannot be treated as a matter incidental to the question referred to in the schedule. What is the duty of the Tribunal in answering a reference is also dealt with in Delhi Cloth and General Mills case reported in AIR 1967 SC 467, which has been duly noticed by a Division Bench of the Calcutta High Court in Arunangshu Chakraborty Vs. Aaj Kaal Publishers Ltd. and Ors. in matter No. 3255 of 1990 reported in 1994 (II) Calcutta High Court Notes at page 109 which is also to the effect that the jurisdiction of the Tribunal is confined to answering the reference alone.

11. Coming to the other point namely whether the disciplinary authority should not have differed from the findings of the Enquiry Officer, the law is now well-settled that the disciplinary authority may differ over the findings made by the Enquiry Officer. Reference may be made to P. V. Mathew Vs. State of Kerala and Anr. reported in 1989 Lab. I. C. (NOC) 142 in this regard.

12. Coming to the third point if the infliction of punishment was made on the workman in violation of principle of natural justice, the matter is now well-settled. The two basic requirements those are to be satisfied in holding an action to be in conformity with natural justice is that the delinquent had the notice of the case he had to meet and had the reasonable opportunity to defend against the allegation. I have already stated that in the statement of the parties contained in their written statements and in their evidence, no point has been raised by the workman alleging that he had no notice of the allegation and that he was debared of the reasonable opportunity to explain his stand. On the other hand the Management had categorically stated that the memorandum of charges alongwith the statement of allegation was served on him. The memorandum which has been marked as Ext. M-1 shows that Shri Bhatta-charjee was allowed to state whether he desired to be heard in person, whether he desired to have an oral submission to make and to furnish the names and addresses of the

witnesses in support of his defence and to furnish the documents he wanted to rely on in his defence. He was also given the chance to inspect the documents as apparent from the recitals in paragraph 3 of the memorandum. The Statement of charges framed were also very specific to give a complete picture of the allegations made against the workman so that he was not misled regarding the charge. No other point has been raised in the written statement or in the evidence and shown to me at the time of argument in support of the contention if any, that the delinquent had no reasonable opportunity to defend his case.

13. The allegation stated in nut-shell as per the statement of imputation is that the delinquent committed a misconduct as he had grossly misled custom authority in the process of determining the reserve price and thereby became instrumental in fixation of lower reserve price as the incorrect weight shown in the re-tally dated 6-8-1981 was grossly wrong. In the evidence the delinquent has admitted that the actual weight of all the 4 packages weighed 870 Kgs. whereas he merely had shown that to be 400 Kgs. and while the loose sheets of steel weighed 140 Kgs. he had shown them as 25 Kgs. only.

14. Though what would amount to misconduct, if the word is not defined in any regulation governing the delinquency, in its ordinary dictionary meaning, any intentional wrong doing or deliberate violation of any rule or standard behaviour would amount to misconduct. In Sarada Prosad Omkar Prasad Tewari Vs. Central Railways, reported in 280 (I) LLJ 167, the High Court of Bombay which enumerating certain acts which would amount to misconduct justifying dismissal of the delinquent employees included an act or conduct which is incompetent or incompetently due in peaceful discharge of his duties to his master. As it is admitted position that the delinquent had a duty to give the weight of the goods correctly in the re-tally list before it was to be auctioned, any wrongful statement made in the said weight, that too particularly when the weight shown in the re-tally list is only about 50% of what the actual weight had been as far as the 4 packages were concerned and about 1/6th of the weight as far as the loose sheets of steels are concerned, which obviously could not have been given, if relied on by the custom authorities, should have ended in great loss to the authorities. It is stated by the management witness that ordinary the custom authority accepts that weight in the re-tally, it is only when it suspects the actual weight, weightment is again done. According to the aforesaid Bombay High Court decision if the act or conduct is prejudicial or likely to be prejudicial to the interest of the master or to the reputation of the master, it would amount to misconduct. In the present case therefore there is no ground to hold otherwise that this action of the delinquent was certainly prejudicial or at least was likely to be prejudicial to the interest of the master as well as to the reputation of the master. Accordingly the charge of misconduct is justifiably stated to have been proved.

15. The disciplinary authority indeed has not agreed with the part of the finding of the Enquiry Officer that while the charges were correctly made these was no ground to hold that the delinquent was not guilty of the charges. On his own admission the delinquent has stated that he had not weighed the goods and merely indicated the weight in the re-tally on the visual assessment of his own. It is also asserted by the Management and not disproved by the Union that before verification, he gave wrong weight on his visual assessment. He had not mentioned to the authorities that since he had no weighing machine, the weight shown in the re-tally were only approximately and had the basis on his personal visual assessment. This conduct will certainly imply that his action was deliberate and he just wanted to get off by showing some weight and had no reasonable grounds to believe that the weight shown by him had any basis.

16. Since Section 11-A of the Industrial Disputes Act, 1947 is not attracted to the present case, this being not a case of dismissal or discharge, the jurisdiction of the Tribunal is also limited as it does not sit as an appellate forum on the finding of the disciplinary authority. The Tribunal can only interfere with the order of the disciplinary authority in his case only when it is satisfied that the order of the discipline authority is an outcome of lack

of god faith or an act of victimisation or the finding was completely baseless and perverse. A reference can be made to Indian Iron and Steel Co. Ltd. Vs. its Workmen, reported in AIR 1958 SC 130 in support of this contention. Since nothing has been brought before me by the workman to show that any of these grounds existed, I decline to interfere with the order of the disciplinary authority.

17. A very flimsy argument is however made by the Union that since the person was suspended pending enquiry, it was out of the pre-conceived intention of the Management to punish the delinquent ultimately. Such a contention has no basis in law as the law gives the Management the power to suspend the delinquent pending enquiry.

18. In such view of the matter, I answer the reference by holding that the action of the Management of Calcutta Port Trust, Calcutta in imposing the impugned punishment of reducing by 3 stages for a period of 2 years with permanent effect with a provision that after the expiry of the said period Shri Birendra Nath Bhattacharjee will be allowed to earn grade increment from that stage, is legal, justified and proper and Shri Bhattacharjee not entitled to any relief on that account.

The Award is made accordingly.

Dated, Calcutta,

The 5th of April, 1995.

K. C. JAGADEB ROY, Presiding Officer

नई दिल्ली, 26 अप्रैल, 1995

का. आ. 1371—औद्योगिक विवाद अधिनियम 1947 (1947 का 17) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक आफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26 अप्रैल, 1995 को प्राप्त हुआ था।

[सं. एल 12012/140/85 आई आर (बी)]

पी. के. माईकल, डेस्क अधिकारी

New Delhi, 26th April, 1995

S.O. 1371.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Union Bank of India and their workmen, which was received by the Central Government on the 26th April, 1995.

[No. L-12012/140/85-IR(B)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE THE B K SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM-LABOUR-COURT PANDU NAGAR, DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 93 of 1986

In the matter of dispute between :

The Secretary

Union Bank Employees Association (U.P.)

C/o Union Bank of India

37 Sheo Charan Lal Road

Bahadur Ganj Allahabad

AND

The Assistant General Manager
Union Bank of India
Hotel Awadh Clark Building
Lucknow.

WARD

1. Central Government Ministry of Labour, vide its notification No. L-12012/140/85.D.II(A) dated 11 June 86, has referred the following dispute for adjudication to this Tribunal —

Whether the action of the management of Union Bank of India in stopping one annual increment of Sri Sita Ram Head Cashier cum clerk Sikrara Branch District Jampur for a period of one year is justified? If not, to what relief the workman is entitled?

2. The concerned workman Sita Ram was posted at Sahibabad Branch of the management bank Union Bank of India (hereinafter referred to as bank) in 1981. During the course of his duties he is tried to have committed misconduct of claiming overtime by showing false number of hours for which he had worked. He was also charged for noting time of his working in the attendance register wrongly in order to claim overtime. He was further charged for taking short leaves on different dates. The details of all these misconducts have been given in Ext. (1) of the enquiry file. It reads as —

The following acts committed by Sri Sita Ram have been brought to the notice of this office. Sri Sita Ram Clerk/Cashier has unauthorisedly and deliberately claimed the overtime allowances on the following dates when he had actually not worked beyond office hours. The details of each claim is furnished below —

Date	Actual office hours on the Date	Worked upto	No. of hours of O.T. entitled	No. of hours of O.T. unauthorisedly claimed
1 - -8	5.00 p.m.	5.00 p.m.	Nil	5 hours
2 - -8	5.00 p.m.	5.00 p.m.	Nil	hours
1 - -8	5.00 p.m.	5.00 p.m.	..	5 hours
2 - -8	5.00 p.m.	1.30 p.m.	Nil	hours
3 - -8	5.00 p.m.	5.00 p.m.	Nil	4 hours

3. In the following cases Sri Sita Ram has worked his attendance beyond office hours, but the hours as marked by him were not authenticated by the Branch Manager. This overtime on the following dates were not paid to him.

Date	No. of O.T. Marked	Actual Office hours	Time left office after attendance marked upto	Total hours of O.T. not paid
1 - -8	3 hours	.00 p.m.	5.00 p.m.	3 hours
2 -6-8	3 hours	.00 p.m.	5.00 p.m.	3 hours
27-6-8	3 hours	.00 p.m.	.00 p.m.	hours

4. It has been further reported|observed that Sri Sita Ram has frequently availed short leaves on different dates which is not recorded in his leave A/c. The detail of each leave, which are well on record are as under —

Date	Time at which left office	Total hours of short leave
14-1-81	3.00 p.m.	2 hours
21-2-81	1.00 p.m.	1 hour
7-3-81	1.00 p.m.	1 hour
19-3-81	4.30 p.m.	1 hour
11-4-81	12.40 p.m.	115 hours
2-5-81	12.45 p.m.	115 hours
13-6-81	12.45 p.m.	115 hours
4-7-81	1.30 p.m.	1/2 hour
25-7-81	12.45 p.m.	115 hours
4-8-81	3.45 p.m.	115 hours
30-11-81	3.00 p.m.	200 hours

Thus from above it is apparent that Sri Sita Ram has been performing duties in utter disregard to standing instructions and he is called upon to show cause why disciplinary action be not initiated against him.

5. Enquiry was entrusted to K. K. Dhawan, Suptd. of Zonal Office, Lucknow. The concerned workman submitted his reply. After completing enquiry the Enquiry Officer submitted his report on 16-6-1983 holding him guilty for claiming excess overtime by making false claims. Rest of the charges were not found proved. On the basis of this by order dt. 7-7-83 the Enquiry Officer himself passed the following order of punishment —

The punishment of stoppage of his next one annual increment for two years be and hereby imposed upon Sri Sita Ram.

6. Feeling aggrieved by this order Sita Ram get the matter referred to this Tribunal.

7. In his written statement the concerned workman has first of all challenged the propriety and fairness of the domestic enquiry. He has also alleged that the findings of the enquiry officer are perverse. On merits it alleged that he had not claimed false excess overtime. He had taken short leave with the permission of higher authorities, he did not deliberately noted in attendance register wrong number of hours.

8. On the other hand the management has alleged that domestic enquiry was fair and proper, due opportunity was given to the concerned workman to cross examine the witnesses of the management and further to adduce evidence in defence. On merits it was alleged that the concerned workman had claimed false overtime and had also made wrong entry regarding number of hours worked by him. The details of which have been given in the chargesheet acts regarding taking of short leave even further reiterated. The concerned workman in his rejoinder reiterated the facts given in his written statement.

9. In support of his case, the management have filed 7 papers which pertain to enquiry. Further

affidavit of S N Mehra, Personnel Officer of the bank has been filed whereas the concerned workman has also filed his affidavit but in spite of repeated opportunity the concerned workman did not submit himself for cross examination. The concerned workman also did not turn up to cross examine the witnesses of the management.

10. First of all it will be seen if the domestic enquiry was fair and proper. For determining as to whether a domestic enquiry is fair and proper, it has to be seen as to whether intelligible chargesheet has been given to the delinquent; it is further to be seen that due opportunity was given to the delinquent to cross examine the witnesses of the management and lastly whether he was afforded opportunity to adduce evidence in defence.

11. From the perusal of Ext. 1 of the enquiry file it is apparent that the charges are quite explicit and there would have been no manner of doubt for understanding the contents of the same. Hence it is found that the concerned workman was served with an intelligible chargesheet.

12. Ext. 2 is the reply of the concerned workman in which inter alia, he has submitted that he has made wrong entry regarding his working hours in the attendance register on Saturday. There is nothing on record to show that during the course of enquiry the concerned workman had asked for any papers from the bank and which were not supplied to him. Hence no objection can be raised in this regard.

13. From the proceedings of the enquiry file it also emerges out that bank had examined Branch Manager, M S Nagar, who with the help of attendance register and other registers had stated that during the period overtime was claimed there was no sufficient work and the delinquent had actually not worked for number of hours as shown by him. He was cross examined at length. Thereafter, the concerned workman Sita Ram examined himself. He has stated that his claim for overtime was passed by Branch Manager and that even claimed correct overtime.

14. Branch Manager M. S. Nagar, in his evidence has further stated that at the branch he was all alone whereas his staff were in larger number. They had obtained his signatures on overtime under duress by stating threats of dire consequence. This fact was not rebutted by the concerned workman. Thus it will be seen that enquiry officer had given ample opportunity to the concerned workman to cross examine the witness of the bank and adduce his own evidence in defence. In his way, in my opinion, all the requirements of principle of natural justice were duly complied with while holding domestic enquiry. Hence, challenge to the enquiry on the basis of propriety and fairness is not sustainable. I have also gone through the enquiry report. In my opinion, Enquiry Officer, has taken an independent view as he has held that on the charge of taking short leave no misconduct was proved. Had this enquiry officer been under the thumb of the bank he would have also decided his issue against the concerned

workman. Further I am of the view that the assessment of the enquiry officer is also judicious. By no stretch of imagination such findings can be said to be perverse.

15. Having found that the enquiry held against the concerned workman was fair and proper and further that finding is not perverse there does not remain any thing to do further.

16. Objection has been raised in the written statement of that Sri K K Dhawan, Enquiry Officer could not award punishment. This objection is without any substance. Shri Dhawan was Suptt. of the Zonal office as such he was competent authority. Hence there could be no legal bar in awarding punishment.

17. The concerned workman should felt satisfied with the punishment awarded to him.

18. In this way my award is that the act of the management of Union Bank of India in stopping one annual increment of Sri Sita Ram, Head Cashier-cum-clerk, Sikrara Branch, District Jaunpur for a period of one year is justified. Consequently the concerned workman is entitled to no relief.

17-4-1995.

B. K. SRIVASTAVA, Presiding Officer
नई दिल्ली, 26 अप्रैल, 1995

का.आ. 1372.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार कानपुर क्षेत्रीय ग्रामीण बैंक के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 26 अप्रैल 1995 को प्राप्त हुआ था।

[संख्या एल-12012/30/91-(आईआरबी-2)]
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1372.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kanpur Kshetriya Gramin Bank and their workmen, which was received by the Central Government on 26-4-1995.

[No. L-41012/30/91(IRB2)]

P. J. MICHAEL, Desk Officer.
ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING,
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
PANDU NAGAR, DEOKI PALACE ROAD,
KANPUR

Industrial Dispute No. 24 of 1991

In the matter of dispute between :—
Shri Devi Dayal

C/o Sri K N Soni
1187/78, Kaushalpur,
Kanpur.

AND

President

Kanpur Kshetriya Gramin Bank
Head Officer C-38, Sarvodaya Nagar,
Kanpur

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-12012/30/91-I.R. B-2, dated 18-6-91, has referred the following dispute for adjudication to this Tribunal :—

Kya Kanpur Kshetriya Gramin Bank, Kanpur ke prabandhako dwara Sri Devi Dayal Bho-otpurva Safai Karamchhari-cum-Sandeshwahak-cum-Chaprasai ko dinank 6-8-85 se nishkasit karne ki karyawahi uchit tatha nyaypurana hai? Yadi nahi to sambandhit karamkar kis anutosh ka haqdar hai?

2. In the instant case on 3-4-95, the authorised representative for the workman has informed the Tribunal vide her application dated 3-4-95 that the concerned workman Sri Devi Dayal has died and as such she does not want to press the present reference.

3. In view of it the present reference has become infructuous.

4. Therefore, in view of the facts and circumstances stated hereinabove it is held that the present reference has become infructuous.

5. Reference is answered accordingly.

Dated : 31-3-1995.

B. K. SRIVASTAVA, Presiding Officer
नई दिल्ली, 26 अप्रैल, 1995

का. आ. 1373.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार वेस्टर्न रेलवे, कोटा के प्रबन्धन के संबंध में नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कोटा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 26 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्या एल 41012/46/89 आई आर बी-1]
पी. जे. माईकल, डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1373.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kota as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Railway, Kota and their workmen, which was received by the Central Government on 26-4-1995.

[No. L-41012/46/89-IRB-I]
P. J. MICHAEL, Desk Officer.

अनुबंध

न्यायाधीश (औद्योगिक न्यायाधिकरण) केन्द्रीय, कोटा/गज.
निर्देश प्रकरण क्रमांक औ न्या (केन्द्रीय, 20/89
दिनांक स्थापित : 8 नवम्बर, 1989

प्रसंग भारत सरकार, श्रम मंत्रालय, नई दिल्ली की
आदेश क्रमांक एल. 41012/46/89 डी-2
बी० दि० 2 नवम्बर, 1989 एवं संशोधन पत्र
दि० 9 नवम्बर, 1992

औद्योगिक विवाद अधिनियम, 1947

मध्य

डिविजनल मैकेट्री, पश्चिम रेलवे कर्मचारी परिषद,
भीमगंजमण्डी, कोटा।

—प्रार्थी यूनियन

एवं

सीनियर डी. सी. एस., वैंस्टर्न रेलवे,
आफिस ऑफ दी रेलवे मैनेजर, कोटा।

—प्रतिपक्षी नियोजक

उपस्थित

श्री आर के चाचान ,
आर एच. जे. एस.

प्रार्थी यूनियन की ओर से प्रतिनिधि श्री ए. डी. ग्रोवर
प्रतिपक्षी नियोजक की ओर से प्रतिनिधि: श्री विक्रम सिंह चौहान
अधिनिर्णय दिनांक 20 मार्च, 1995

अधिनिर्णय

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा आदेश
दि. 2-11-1989 एवं सपठित संशोधन पत्र दि. 9-11-92
के जरिये निम्न निर्देश औद्योगिक विवाद अधिनियम, 1947
की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण को
अधिनिर्णयार्थ सम्प्रेषित किया गया है :—

“Whether the Sr. D.C.S., Western Railway, Kota was
justified in imposing the penalty of stoppage of
increment for one year to Shri Deen Dayal Sharma,
H.B. Clerk in violation of Principles of Natural
Justice? If not, what relief the workman was
entitled to?”

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर
किया गया व पक्षकारों को सूचना जारी की गयी जिस पर
दोनों पक्षों ने अपने-अपने अभ्यावेदन प्रस्तुत किये। प्रार्थी की
ओर से क्लेम स्टेटमेंट प्रस्तुत कर(संक्षेप) में यह अभि-
लिखित किया गया है कि प्रार्थी, प्रार्थी यूनियन का सदस्य था
जिसकी गतिविधियों में बाधा डालने की नियत से प्रतिपक्षी
द्वारा उसे दि० 2-3-87 के द्वारा गलत आरोप पत्र दिया
और प्रार्थी के द्वारा दिये गये प्रतिवेदन पर बिना कोई विचार

किये व बिना विभागीय जांच का अवसर दिये उसकी एक
वर्ष की वेतन वृद्धि रोक दी इस प्रकार प्रतिपक्षी द्वारा की
गई कार्यवाही अवैधानिक है जिसे रद्द कर समुचित लाभ
दिलवाया जाये।

3. प्रतिपक्षी की ओर से जो जवाब प्रस्तुत हुआ है उसमें
यही कहा है कि प्रार्थी के विरुद्ध गलत आचरण के कारण
आरोप पत्र देकर व बचाव का समुचित अवसर प्रदान करने के
उपरान्त आरोप की गम्भीरता को देखते हुए जो एक वर्ष
की वेतन वृद्धि रोकने की सजा दी गयी है वह उचित है
व प्रार्थी कोई राहत प्राप्त करने का अधिकारी नहीं है।

4. इस प्रकरण में प्रार्थी की ओर से उसे कई अवसर
दिये जाने के उपरान्त भी अपने क्लेम समर्थन में कोई
साक्ष्य प्रस्तुत नहीं करने के कारण उसकी साक्ष्य दि० 19-6-93
को ही बन्द की जा चुकी थी। इसके उपरान्त प्रतिपक्षी
की ओर से गवाह महेशचन्द का शपथ पत्र प्रस्तुत किया गया

5. आज दोनों पक्षों की बहस सुनी गयी व पक्षावली
का अवलोकन किया गया। प्रथमदृष्टया पक्षावली के अवलोकन
से यह स्पष्ट है कि प्रार्थी पक्ष की ओर से अपने क्लेम
समर्थन में कोई साक्ष्य प्रस्तुत नहीं की गयी तथा कोई
पर्याप्त कारण साक्ष्य उपलब्ध न कराने बाबत नहीं बताया
गया। इसके अतिरिक्त प्रतिपक्षी की ओर से अपने जवाब समर्थन
में जो गवाह का शपथ पत्र प्रस्तुत किया गया है उससे भी
प्रार्थी द्वारा कोई जिरह नहीं की गयी। इस प्रकार प्रार्थी
साक्ष्य के अभाव में कोई राहत प्राप्त करने का अधिकारी
नहीं पाया जाता और भारत सरकार, श्रम मंत्रालय नई
दिल्ली द्वारा जो निर्देश सम्प्रेषित किया गया है उसे इसी
प्रकार उत्तरित किया जाता है।

6. इस अधिनिर्णय को समुचित सरकार को नियमा-
नुसार प्रकाशनार्थ भिजवाया जाये।

दिनांक 20-3-95

आर. के. चाचान, न्यायाधीश
नई दिल्ली, 26 अप्रैल, 1995

का.आ. 1374.—औद्योगिक विवाद अधिनियम, 1947
(1947का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार
स्टेट बैंक आफ इंडिया के प्रबंधन के संबद्ध नियोजकों और
उनके कर्मचारों के बीच अनुबंध में निदण्ट औद्योगिक विवाद में
औद्योगिक अधिकरण, अलप्पी के पंचपट को प्रकाशित करती
है जो केन्द्रीय सरकार को 26 अप्रैल, 1995 को प्राप्त हुआ था।

[संख्या एल-12012/743/87-डी II (ए)]
पी०जे० माईकल, डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1374.—In pursuance of Section 17 of the
Industrial Disputes Act, 1947 (14 of 1947), the
Central Government hereby publishes the Award of
the Industrial Tribunal, Alleppey as shown in the
Annexure, in the industrial dispute between the em-
ployers in relation to the management of State Bank

of India and their workmen, which was received by the Central Government on the 26-4-95.

[No. L-12012/743/87-D 2-A]

P. J. MICHAEL, Desk Officer
ANNEXURE

In the court of the Industrial Tribunal, Alleppey

(Dated this the 31st day of March, 1995)

PRESENT :

Shri. K. Kanakachandran, Industrial Tribunal

I.D. No: 44/93

BETWEEN :

The Chief General Manager, State Bank of India, Local Head Office, Circletor House, 1st Line Beach, Madras-600 001.

AND

The workman of the above concern Shri. V. Antony, 48/2884 (New No. 35/049), North Janatha Road, Palarivattom, Cochin-682 025.

REPRESENTATIONS :—

Sri. N. Mani,
Advocate, Velikkakathu

House, Near South For Management,
Railway Overbridge,
Cochin-16.

Sri. M. Ramachandran, For Workman
Advocate, Cochin-17.

AWARD

Government of India by the reference order No: L-12012/743/87-D.II(A) dated 8-9-1993 had referred the following issues for adjudication :

"Whether the claim of Shri. V. Antony, a former Grade II Officer at Thampanoor branch of M/s. Bank of Cochin Ltd. later amalgamated with the State Bank of India, that he was a workman as defined under the Industrial Disputes Act and is eligible for availing the legal remedies available under the Industrial Disputes Act, is correct? If so, whether the action of the management of the erstwhile Bank of Cochin Ltd., which was later amalgamated with the State Bank of India, in dismissing Shri. V. Antony w.e.f. 10-4-1984 is justified? What relief, if any, Shri Antony is entitled to?"

2. In the claim statement filed by the workman it is stated that although he was employed as a Grade II Officer in erstwhile Bank of Cochin Ltd., his duties were mainly Clerical in nature and very seldom he had exercised supervisory functions. According to him he never had exercised managerial powers. The Bank of Cochin Service Code is applicable to all employees and there is no differentiation in the nature of duties between various cadres and each employee was expected to perform

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the duties assigned to him from time to time. The management had proceeded against him by initiating disciplinary action and memorandum of charges was served to him which contained three charges. He submitted explanation to the memo of charges. The management had not satisfied with the explanation and they conducted a domestic enquiry. The legal advisor of the Bank and an Advocate Sri. C. T. Joseph conducted domestic enquiry against him. The enquiry was conducted in clear violation of the principles of natural justice. On the basis of the findings in the enquiry he was dismissed from service. Although he raised a dispute against his dismissal, the Central Government declined to refer the dispute on his dismissal for adjudication. In that circumstance he had to file a writ petition (O.P. No: 9581/88) before the High Court of Kerala. On the basis of the directive of the High Court he again approached the Central Government but nothing was done towards reference of the dispute. In that circumstance he had to approach the High Court again by filing another petition. In that the High Court specifically directed the Central Government to refer the dispute for adjudication.

3. In the counter statement filed by the management very elaborately they had dealt the reason for dismissal of the employee concerned in this dispute. But they had raised a preliminary issue regarding the maintainability of the reference. According to them the employee concerned in this dispute was not a workman as defined in Sec. 2(s) of the Industrial Dispute Act. Therefore this Tribunal has no jurisdiction to entertain this reference. It is urged that the question whether he is a 'workman' or not has to be decided as a preliminary issue.

4. The workman started his service as a probationary Clerk and later he was promoted as Grade II Officer. Subsequently on the basis of test and interview he was further promoted as Grade II Officer. While he was working as an Officer, he was exercising managerial and supervisory powers. Twice he worked as the Manager of Bank's branches. Even when he was working as Officer he was exercising supervisory powers and he was drawing the salary of Rs. 3010/- at the time of his dismissal. Therefore it is the contention of the management that he would come under the exclusion clause contemplated in Sec. 2(s) of the I.D. Act.

5. Since the question of maintainability was raised as a preliminary issue for decision by this Tribunal it was decided to permit both sides to adduce evidence. Both the employees concerned and the management tendered oral and documentary evidence. After hearing both sides a preliminary order on the question of status of the workman was passed by this Court by an order dated 2-3-1995. It was held therein that the employee concerned in this dispute will not come under the definition of workman as defined in Sec. 2(s) of the I.D. Act. I shall extract hereunder the full text of the preliminary order :

PRELIMINARY ORDER

"The Government of India by an order No. L-12012/74/87-D II(A) dated 8-9-93 had

referred the following issues for adjudication:

"Whether the claim of Shri V. Antony, a former Grade II Officer at Thampanoor branch of M/s. Bank of Cochin Ltd., later amalgamated with the State Bank of India, that he was a workman as defined under the Industrial Disputes Act and is eligible for availing the legal remedies available under the Industrial Disputes Act, is correct? If so, whether the action of the management of the erstwhile Bank of Cochin Ltd., which was later amalgamated with the State Bank of India, in dismissing Sri V. Antony with effect from 10-4-1984 is justified? What relief, if any, Shri Antony is entitled to?"

2. After the filing of statements by the respective parties concerned in this dispute it was urged by the management that before adjudicating the main issue regarding the legality of dismissal of the person concerned in this dispute, the preliminary question on the maintainability of the reference might be adjudicated. It is the contention of the management that the employee concerned in this dispute was a Grade II Officer under the erstwhile management Bank at the time of his dismissal. Since he was holding a managerial and administrative post then he would not be a workman as defined in Sec. 2(s) of the I.D. Act. According to them, he was the Manager of different branches of the Bank of Cochin Ltd., before its amalgamation to the State Bank of India. When he was posted at Major branches, he worked as Officer Accountant and in that capacity he was discharging supervisory functions. Since all the time he was drawing more salary than what is limited in Sec. 2(s), he would not come under the definition of "workman".

3. In the claim statement it is stated by the union that at the time of dismissal, the employee concerned was working as a Grade II Officer in the erstwhile Bank of Cochin Ltd. His duties were mainly clerical in nature and very seldom he was exercising supervisory function. While he was working as Grade II Officer, he had no managerial powers. When he was working as Accountant/Officer, there were four Managers and in fact, they were exercising all the managerial powers. The Bank of Cochin Service Code is made applicable to all the employees and it does not differentiate the nature of duties between the various cadres. Each employee is expected to perform the duties assigned to him from time to time.

4. In order to substantiate the contention that the employee concerned in this dispute will not come under the definition of 'workman', the management has given full details of the service history of the employee concerned in their written statement. The employee concerned was appointed as a Probationary Clerk on 6-3-1963 and his service as a Clerk was confirmed on 1-10-1963. Later he was promoted as Grade III Officer on 1-5-1971. After working about 3 years as a Joint Accountant, he was posted as the Manager of Kuthiathode Branch in July, 1974. Later he was shifted to the Head Office and there

he worked as Officer-in-charge of Foreign Exchange Section. After his working there for sometime he was posted as Manager of Vytilla Branch in August 1979 and he worked there till November 1982. While working there, he was promoted to the cadre of Grade II Officer and was transferred to Varadara-japetta in Tamil Nadu as a Branch Manager in December 1982. Since he did not join duty there, for unauthorised absence he was placed under suspension. Later the suspension order was revoked and he was allowed to join duty. From May 1983 to April 1984 he worked as a Grade II Officer at Thampanoor Branch and at that time he was drawing a salary of Rs. 3,010/- While he was working at Thampanoor Branch of the erstwhile Bank of Cochin, his services were terminated with effect from 10-4-1984 after conducting a domestic enquiry. Therefore, according to the management, for about 13 years the employee concerned had worked as Officer and was enjoying all the rights and privileges of an Officer of the Bank. For about 7 years he was working as the Manager of a Branch and there he was exercising all the managerial and supervisory powers over the subordinate staff. While he was working as the Branch Manager he was exercising fully administrative and financial powers to the extent permitted by the rules and regulations. There was clear cut differentiation as regard the type of job assigned to each cadre of Officers according to that status.

5. Both sides adduced evidence. The workman has stated that although he was designated as an Officer, he was working on the basis of assignments given by the Manager. According to him when he was working as Branch Manager in two small branches with lesser number of employees, the discretionary powers he was exercising was very limited. In the cross-examination he has stated that while he was working as the Manager at Kuthiathode Branch, there were 6 staff under him and he was acting on the basis of clear cut guidelines issued from the Head Officer from time to time. He had also explained the nature of duties he had to do while he was in the Foreign Exchange Section in the Head Office. He has admitted that at the time of his dismissal he was drawing a monthly salary of Rs. 3,010.

6. On the side of management present Branch Manager of State Bank of India, Moovat-tupuzha tendered evidence. Formerly he worked as personal Manager of Bank of Cochin. He had also stated the service history of the employees concerned in accordance with the statement filed by the management. He had also explained in details the procedural formalities and service and test qualifications for being promoted as a Grade II Officer in the Bank of Cochin. The dismissal of the employee herein was before the amalgamation of Bank of Cochin with the State Bank of India. In the cross-examination he has stated that at the time of dismissal he was working as the Accountant. He had to sign the instruments for cash payment and was exercising supervisory functions over the subordinate staff. In a major branch an Accountant will work as an immediate assistant to the Manager. In the Grade I Officer category, Branch Managers and Department Heads will come. Regarding the

powers of the Branch Manager to initiate disciplinary action it is explained by MW1 that the Branch Manager can issue memo of charges and further action thereon can be done only by the personal department that too at the instruction from the Head Office. He has also explained that even to impose any punishment the Branch Manager will not have any power. The nature of work to be done as the Accountant is also explained by MW1. It is deposed by him that there would be supervision by Accountant over the work of clerical staff. They would have the duty of canvassing deposit also along with the Manager.

7. From the pleadings and evidence adduced in this case the question to be resolved is what exactly the status of the employees in this dispute at the time of his dismissal. When he was working as the Branch Manager he was having an overall supervision and management of the branch in which he was posted (as the Manager). It cannot be said that the Branch Manager was only doing Clerical nature of work. But the position is different if a person is appointed as an Accountant. He may not have managerial powers as an Accountant. But he will have supervisory control over the Clerical staff subordinate to him. That is not in dispute. Though he was not having managerial function, if he was exercising supervisory powers and was drawing more than Rs. 500 per mensem at the relevant time, he would go out of the purview of the definition contained in Sec. 2(s) of the I.D. Act. (Since his dismissal was on 10-4-1984) by the later amendment to Sec. 2(s) in the year 1982 which was made effect from 21-8-1994, the monetary limit prescribed in Sec. 2(s) was enhanced to Rs. 1,600 per mensem. Admittedly at the time of dismissal he was drawing monthly salary of Rs. 3,010.

8. The learned counsel appearing for the employee in this dispute has submitted that even if his designation was shown as Accountant at the time of his dismissal, that would not in any way make him a person who was exercising supervisory function. In support of his contention the learned counsel relied on a decision of the Supreme Court in *South Indian Bank v. Chacko* 1964 (i) LLJ 19. In that case the Supreme Court held that though certain rights and powers were assigned to the workman and occasionally he acted in the place of agent of the branch, such duties did not form part of his principal and main duties. The Supreme Court accordingly upheld the conclusion of the Labour Court in that case. The facts of the case herein are entirely different. In decision of the Supreme Court referred above the implication of certain paragraphs of Sastri Award relating to Bank workers were discussed. The Sastri Award in paragraph 332 explains the nature of work to be done by the bank workmen. It reads :

"The categories of workmen known as head clerks, accountants, head cashiers, should prima facie have to be taken as workman wherever they desire to be so treated but with this important proviso that the banks are at liberty to raise an industrial dispute about such classification wherever they feel that with reference to a particular branch and a particular office a person so designated is really entrusted with work of a directional

and controlling nature and perhaps even supervision of a higher type over ordinary supervisory agencies."

9. Regarding the 'Accounts' in paragraph 163 of the Sastri Award, it is stated :

"In several cases they will indisputably be Officers. It is difficult to lay down a hard and fast rule in respect of them. An accountant often times is the second officer in charge of branches, particularly where the branches are comparatively small. In big banks where there is a hierarchy of officers there may be a chief accountant, accountants, sub-accountants. In most of these cases the 'accountants' will probably be officers. There will however be incumbents of such posts, through going under the dignified designation of accountants, who are in reality only senior clerks doing higher type of clerical work involving an element of supervision over other clerks as part of their duties."

10. While we examine the present case on hand it can be seen that the employee concerned in this dispute started service as a probationary Clerk in the Bank of Cochin. On the basis of service qualification and test and interview he became a junior officer and later a Grade III Officer. While he was a Grade III Officer he worked as a Branch Manager for about 7 years. The Branch Manager will never be in the clerical category. An Officer who is posted as a Branch Manager if shifted to some major branches, he would work there either as Officer or as Accountant. The employee concerned in this dispute when posted at Trivandrum branch which is a major branch, he had to work as Accountant. Since he was basically an Officer in a higher grade it cannot be said that was merely having a dignified designation of a Clerk as Accountant. More over he had worked in a major branch as a principal officer in charge of Foreign Exchange Division. All these factors will only lead to the conclusion that after the elevation to the Grade II Officer category the employee concerned was working either in the managerial or in the supervisory capacity. Though working as an Accountant, he may not have managerial functions. But in the supervisory capacity, he was supervising the work of clerical staff under him. A person exercising supervisory powers will come under the definition of "workman" Only if it can be shown that he was drawing a monthly salary less than what is stipulated in Sec. 2(s) of the I.D. Act. As already noted at the time of his dismissal he was an Officer Grade II and was exercising supervisory powers as Accountant and the monthly salary at the time was Rs. 3,010. Therefore it can only be concluded that he would not come under the definition of 'workman' so as to seek remedy under the I.D. Act. Therefore the dispute is not maintainable. Hence the reference is incompetent."

11. In view of the finding that the employee concerned in this dispute is not a workman, this reference itself is not maintainable because this dispute will not come under the definition of "Industrial Dispute" as defined in Industrial Dispute Act. In view of that it is quite unnecessary to go into the other issues regarding the validity of the dismissal effected in the case of

the employee concerned in this dispute and the other relief sought by him.

In the result an award is passed holding that the reference is incompetent.

(Dated this the 31st day of March 1995)

K. KANAKACHANDRAN, Industrial Tribunal

नई दिल्ली, 26 अप्रैल, 1995

का.आ. 1375.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार उत्तर रेलवे लखनऊ के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कानपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 26-4-95 को प्राप्त हुआ था।

[उत्तरा प.न-41011/34/89-आई आर (डीयू)]

पी.जे. माईकल, डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1375.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Uttar Railway, Lucknow and their workmen, which was received by the Central Government on the 26-4-95.

[No. L-41011/34/89-IR(DU)]

P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B.K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT, PANDU NAGAR, DAOKI PALACE ROAD,

KANPUR

Industrial Dispute No. 75 of 1990

In the matter of dispute between :

Assistant General Secretary,
Uttar Railway Karamchari Union,
39-II-G, Multistored Rly, Colony,
Charbagh, Lucknow. Union

AND

Chief Works Manager,
Loco Workshop,
Uttar Railway,
Charbagh, Lucknow. Employer.

AWARD

1. Central Government, Ministry of Labour, vide its notification No. L-41011/34-89-L.R. (D.U.) dated 28th February, 1990 has referred the following dispute for adjudication to this Tribunal :—

Whether Chief Works Manager, Loco Workshop, Northern Railway, Lucknow was justified in terminating the services of Sri Gulam Dastgir Kadiri and Ram Shankar w.e.f.

12-12-86, as Khalasis ? If not, what relief the workman were entitled to ?

2. The case of the concerned workmen Gulam Dastgir Kadiri and Ram Shankar is that they were appointed as Khalasis in Northern Railway Loco Motive Charbagh, Lucknow on 13-11-83 and 4-9-84 respectively. Since the date of their respective appointments they have been performing their duties continuously to the satisfaction of the employer. Yet employer by order dt. 13-12-86, have illegally terminated their services in utter branch of section 25 F Industrial Disputes Act. This termination order is further punitive in nature and not retrenchment simpliciter, as the reasons for termination is submission of false educational certificates. Such punitive orders cannot be passed without holding inquiry which is required according to principles of natural justice. It was also alleged that educational certification were not false.

3. The employer in their written statement have alleged that on 4-12-82, the employer had invited applications from the sons of staff of the workshop who were due to retire in the year 1984 to 1986 for preparation of a panel of casual labourers. The minimum qualification for appointment of Casual labour was VIII Class. In pursuance of this notification Sadat Husain the father of Gulam Dastgir Kadiri and Rameshwar Prasad the father of other workman Ram Shankar submitted the certificates of their having passed of Class VIII. On the basis of these applications the Screening Committee placed them in the selected list and give them appointment as well. Later on verification from their respective school it was found that both the certificates were false as such after complying with the provisions of sec. 25F these two workmen were retrenched. It has also been alleged that there was no need to hold inquiry in such illegal appointment which were obtained by deceit.

4. In their rejoinder the concerned workmen as in denied that the certificate submitted by their respective father were fabricated.

5. The point in controversy is as whether the services of the two workmen could be terminated without holding domestic enquiry.

6. It is common ground that before passing the termination order domestic enquiry was not held.

7. In support of his case the concerned workman filed the affidavit of Gulam Dastgir Kadiri alongwith copies of termination order dt. 12-12-86, which show that their services have been terminated because of furnishing of false educational certificates of having passed class VIII. In his cross examination he has stated that his certificate was furnished by his father from Boys Anglo Bengali Inter College Lucknow.

8. In rebuttal the management have filed the affidavit of one Babu Ram Tewari. A.P.O. However, since he could not be made available for his cross examination another affidavit of Sheo Poojan Prasad A.P.O. was filed in which all the allegations made in the written statement were repeated. Further Ext M-1 to M-7 have been filed.

9. Ext. M-1 is the notification dt. 4-11-82, by which applications were invited.

10. Ext. M-2, is the letter dt. 28-10-86, of the Principal, Boys Apolo Decali Inter College, Lucknow, informing that certificate of Colam Rastoir is wrong.

11. Ext. M-3, is the copy of that educational certificate dt. 31-7-74.

12. Ext. M-5, is the termination order dt. 12-12-86.

13. Ext. M-6 is the letter of the Principal of Kali Charan Inter College Lucknow by which it was informed that certificate of Ram Shanker is not genuine.

14. Ext. M-7 is the copy of that certificate dt. 16-1-79.

15. The witness Sheo Poojam Prasad has stated in his cross examination that no departmental enquiry was held both of them. Even show cause notice was not given to them before termination of their services. It was also admitted by his witness that provisions of Factory Act are applicable to this department but no three months notice was given. Lastly it was stated by him that as the two concerned workmen did not possess the requisit conditions for employment, their services were terminated.

16. On behalf of the concerned workman a number of authorities have been filed out of them only one is relevant. In the case of National Central Cooperative Bank Versus Ajai Kumar, 1983 Lab IC 2663, the appointment of the concerned workman initially illegal hence their services were dispensed with without holding enquiry. Patna High Court had quashed this termination order on the ground that it cannot be done without holding any enquiry. In other words it was emphasised that before passing punitive order of termination holding of enquiry was necessary which was the sinequa non of compliance of principles of natural justice.

17. Having gone through the pleadings of the parties, evidence on record and the above mentioned ruling. I am of the opinion that before passing punitive order even in case of alleged defect in the initial appointment, holding of enquiry is a must, even in case of casual workman. As it has not been done in this case the impuned order of termination of the two workmen cannot be sustained. As such concerned workmen are entitled for reinstatement.

18. There is averment followed by evidence of the concerned workmen that they were not gainfully employed some where, hence these concerned workmen will also be entitled for back wages.

19. It is made clear that it will open to the management to initiate departmental proceedings against these workmen with record to submittation of false educational certificates and of on enquiry it is found that they had submitted false declaration certificate employees will be within their rights to award punishment as may be just and proper.

20. Accordingly, it is held that the action of the Chief Works Manager, Lose Workshop, Northern Railway Lucknow was not justified in terminating the services of the concerned workmen. Consequently they are entitled to be reinstated in service with full

back wages. Concerned workmen shall also get Rs. 200 as costs from the employer.

Dated 19-4-1995

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 26 अप्रैल, 1995

का.आ. 1376.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार मै. सेन्दल कोल फील्ड्स लि. की लपंगा कोलियरी के प्रबंधन के संवद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 1) धनबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 24-4-95 को प्राप्त हुआ था।

[संख्या एल-20012/121/89-आई.आर. (कोल-1)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 26th April, 1995

S.O. 1376.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Lapanga Colliery of M/s. Central Coalfields Ltd. and their workmen which was received by the Central Government on 24-4-1995.

[No. L-20012/121/89. IR(Coal-I)]

BRAJ MOHAN, Desk Officer.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1) (d) (2A) of the Industrial Disputes Act, 1947.

Reference No. 2 of 1990

PARTIES :

Employers in relation to Lapanga Colliery of
M/s. Central Coalfields Ltd.

AND

Their Workmen

PRESENT :

Shri P. K. Sinha, Presiding Officer

APPEARANCES :

For the Employers : Shri R. S. Murthy, Advocate.

For the Workmen : Shri J. P. Singh, Advocate.

STATE : Bihar.

INDUSTRY : Coal

Dated, the 5th April, 1995

AWARD

By Order No. L-20012/121/89-I.R. (Coal-I) dated, the 1st January, 1990, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act,

1947, referred the following dispute or adjudication to this Tribunal :

(i) "Whether the demand of the Vice-President of the Indian National Coal Mines Engineering Workers Association, Korrah, Hazaribagh that Shri Narayan, an ex-piece rated worker should receive the protection of his wages which he was earning prior to his transfer to the Lapanga Excavation is justified? If so, to what relief is the workman entitled?"

(ii) "Whether the demand of the workman for the payment of difference of wages of Cat. I and those of E.P. Helper in Auto-Electrician Section from the date he is working as such and his regularisation as E.P. Helper is justified? If so, to what relief is the workman entitled?"

2. After notice parties filed their written statement, rejoinders and documents, respectively. Thereafter the case was placed for adducing evidence on behalf of the management. But in the meantime a petition dated 4-1-95 was filed on behalf of the President of Indian National Coal Mines Engineering Workers Association stating therein that the Excavation Section of Lapanga Colliery had been closed and the concerned workman had been transferred to Urimari Colliery. It was further mentioned that the Union had decided not to pursue the matter, and prayed to pass a 'no dispute' award. Sri Murthy, Advocate, on behalf of the management supported the prayer. Sri J. P. Singh, Advocate, appearing for the sponsoring Union had taken time on 27-2-95 for ascertaining the facts from the Union. He informed that though he had written to the Union, no reply was received by him.

3. It, therefore, appears that the Union has lost interest in the case. In view of that and in view of the application of the Union, I render a 'no dispute' award in the present case.

P. K. SINHA, Presiding Officer

नई दिल्ली, 27 अप्रैल, 1995

का.आ. 1377.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार म/स टाटा आइरन एण्ड स्टील को जमशेदपुर के प्रबन्धनत्व के संबद्ध नियोक्ताओं और उनके कर्मचारों के बीच अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण उरिसा भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-4-95 को प्राप्त हुआ था।

[संख्या एल-26012/16/93-आईआर (विधि)]

के. बी. बी. उन्नी, डेस्क अधिकारी

New Delhi, the 27th April, 1995

S.O. 1377.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal, Orissa, Bhubaneswar, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. Tata Iron & Steel Co., Jamshedpur

and their workmen, which was received by the Central Government on 27-4-95.

[No. L-26012/16/93-IR(Misc)]

K.V.B. UNNY, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL; ORISSA;
BHUBANESWAR

PRESENT :

Shri P. K. Tripathy, M.A.L.L.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

Industrial Dispute Case No. 41 of 1994 (Central)

Dated, Bhubaneswar, the 15th April, 1995

BETWEEN :

The management of M/s. Tata Iron & Steel Co.,
Jamshedpur.

AND

....First party-
management.

Their workman Sri Niranjana Parida represented
through North Orissa Workers' Union,
Rourkela-12.

....Second party-
workman

APPEARANCES :

None

— For both the parties

AWARD

The Government of India in the Ministry of Labour in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their order No. L-26012/16/93 IR (Misc.) dated 10-8-94 :—

"Whether the action of the management of TISCO Ltd., in terminating the services of Shri Niranjana Parida Sl. No. 193643 w.e.f. 1-4-1992 is legal and justified? If not, to what relief the workman is entitled to?"

2. In this case none appears for the workman and no step has been taken on his behalf. Notice issued to the management has been served and A.D. is back. Hence, service of notice on the management is held to be sufficient. The first party management has neither appeared nor taken any steps. It has also not filed the written statement. On perusal of the record, it seems that the second party-workman has also not filed the statement of claims. Thus, it appears that both the parties are perhaps no more interested in the 'lis'. Hence, no useful purpose will be served by lingering the proceeding any further. Hence, a no dispute

award is passed in so far as the present reference is concerned.

Dictated & corrected by me.

P. K. TRIPATHY, Presiding Officer

नई दिल्ली, 28 अप्रैल, 1995

का.आ. 1378—औद्योगिक विवाद अधिनियम, 1947 (1947 क 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार हिन्दुस्तान कापर लिमिटेड के प्रबन्धनत्व के संज्ञा नियोजकों और उनके कर्मचारियों के बीच अनबन्ध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 धानबाद के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 28-4-95 को प्राप्त हुआ था

[संख्या एल-43012/15/93-आईआर (विविध)]

बी. एम. डेविड, डस्क अधिकारी

New Delhi, the 28th April, 1995

S.O. 1378.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Hindustan Copper Ltd. and their workmen, which was received by the Central Government on 28-4-95.

[No. L-43012/15/93-IR(Misc)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under section 10(1) (d) of the Industrial Disputes Act, 1947.

Reference No. 244 of 1994

PARTIES

Employers in relation to the management of Hindustan Copper Ltd.

AND

Their Workmen

PRESENT:

Shri P. K. Sinha, Presiding Officer

APPEARANCES:

For the Employers : Shri B. Joshi, Advocate

For the Workmen : None.

STATE : Bihar.

INDUSTRY : Copper.

Dated, the 17th April, 1995

AWARD

By Order No. L-43012/15/93-IR (Misc) dated 24-10-94 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by

clause (d) of sub-sec. (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Hindustan Copper Ltd. in dismissing Shri Laljee Sharma, Welder-II, is justified ? If not, to what relief the workman is entitled ?”

2. The dispute has been settled out of the Tribunal. A memorandum of settlement has been filed in this Tribunal. I have gone through the terms of settlement and I find those to be fair and reasonable, I allow the prayer and render award in terms of settlement. The memorandum of settlement shall form part of this award.

3. Let a copy of this award be sent to the Ministry as required under Sec. 15 of the Industrial Disputes Act, 1947.

P. K. SINHA, Presiding Officer

BEFORE THE PRESIDING OFFICER, THE CENTRAL GOVERNMENT INDUSTRIAL

TRIBUNAL NO. 1 DHANBAD

Ref. No. 244/94

Employer in relation to the Management of M/s. Hindustan Copper Limited, Rakha Copper Project,

AND

Their workman, Sri Laljee Sharma, T. No. 1623, Welder Asstt. I.

Petition of Compromise

The humble petition on behalf of the parties above named most respectfully sheweth :—

1. That the above dispute has been amicably settled between the parties on the following terms :—

Terms of Settlement

- That the concerned workman accepted his guilt and prayed for mercy on him.
- That the Management accepted his mercy petition and reinstated him on his original job. He was downgraded as a measure of punishment showing leniency on him.
- That the concerned workman has accepted the punishment and has settled his dispute finally.
- That in view of the above settlement there exists no further dispute.

Part of the Award

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass award in terms of the settlement

Part of the Award

For the workman

(Leljee Sharma)

T. No. 1623, Welder Asstt. I

Rakha Copper Project.

WITNESS

1. Kamlesh Pd. Roy,

2. Mitrajat Prasad

Sd/-

Illegible

For the Employer

Sd/-

(D. Biswas)

Dy. General Manager (Mines)

Hindustan Copper Limited.

Rakha Copper Project.

1. Awadheshwar Prasad

2. Birendra Nath Karmakar

नई दिल्ली, 28 अप्रैल, 1995

का.आ. 1379-औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में केन्द्रीय सरकार इंडियन सिमन्ट लिमिटेड शंकरि वेस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में विनिर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-4-95 को प्राप्त हुआ था।

[संख्या एल-29011/11/89-आईआर(विविध)]

बी० एम० डेविड, डेस्क अधिकारी

New Delhi, the 28th April, 1995

S.O. 1379.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Cement Ltd. Sankari West and their workmen, which was received by the Central Government on 28-4-95.

[No. L-29011/11/89-IR(Misc)]

B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL,
TAMIL NADU MADRAS

Wednesday, the 25th day of January, 1995

PRESENT :

THIRU K. PONNUSAMY, M.A.B.L.,
Industrial Tribunal

Industrial Dispute No. 62 of 1989

(In the matter of the dispute for adjudication under Section 10(1) (d) of the Industrial Disputes Act, 1947 between the workmen and the Management of India Cements Ltd., Sankari West.)

BETWEEN

The Workmen represented by

The General Secretary,

The India Cements Employees Union,

Sankari West P. O.-637303.

AND

The General Manager,

The India Cements Ltd.,

Sankari West-637303.

REFERENCE :

Order No. L-29011/11/89-IR(Misc), dated 28-6-1989, Ministry of Labour, Govt. of India, New Delhi.

This dispute coming on for final hearing on Thursday the 29th day of December, 1994 upon perusing the reference, claim and Counter statements and all other material papers on record and upon hearing the arguments of Thiru S. Vaidyanathan for Tvl. Row & Reddy, Advocates appearing for the Workmen and of Thiru S. Jayaraman, Advocate appearing for the Management, and this dispute having stood over till this day for consideration, this Tribunal made the following :

AWARD

This reference has been made for adjudication of the following issue :

“Whether the Management of India Cements Ltd., Sankari West is justified in not regularising and terminating the services of the 13 casual workmen viz., S/Shri R. Palaniappan, V. Chinnan, R. Subramani, R. Muthusamy, K. Vellaian, R. Palani, S. Natrayan, P. Kuppan, K. Perumal, K. Pachiyappan, K. Chellamuthu, P. Muthupaiyan, and C. Alimuthu ? If not, what relief are these 13 casual workers entitled to ?

2. Petition is filed to pass an award that the action of the respondent in terminating the 13 casual workers who have put in 10 or more years of faithful service is illegal, and regularise the said workers with full back wages and other attendant benefits.

3. The case of the petitioner briefly stated is as follows.—The respondent company is a prosperous one, and is well known that it has enjoyed a long run of profits. The Company manufactures Cement. The first step in the production of cement is to extract the lime from under the ground. The respondent Company has the habit of employing workers to do the mining on daily wages. The 13 workers mentioned in the reference have been in the Company's employment for the past ten years or more. The annexures to the claim statement will fortify the averment. They have however been working on a day today terms. They have worked according to the Management as many as 238 days in calendar year Jan-Dec) alone. The respondent-management taking advantage of the workers object poverty have been exploiting the workers. In spite of ten years of service to the respondent company, the workers have not been regularised, even though mining is an essential part of the cement manufactur-

ing process. When the petitioner-union raised the demand for regularisation of the services of these miners before the arbitration board and while proceedings were on, the respondent company in a very tactful move terminated these workers on the ground that their services were no longer required. It is also stated that the persons working in the factory have been regularised but the persons working in the mines have been differentiated and termination in an unfair manner. It is stated that this move by the respondent management is illegal and violates the basic rights of these workers as guaranteed by the Constitution of free democratic and socialist India. The workers ought to have been confirmed long ago, as per the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act, 1981, herein after called the Conferment Act. As per the conferment Act a workman who has put in continuous service of 480 days in a period of 24 calendar months should be conferred permanent status in the Establishment. The 13 workers have been doing surveying, prospecting, road laying, inside the mines and such other tasks that are part and parcel of mining operations. Hence the respondent Management is not justified in saying that their work was of casual nature and that the work was not continuous. It is accepted that the workers worked on a daily wage scheme but they worked every day of the year. When the workers who had put in 10 years continuous service asked for regularisation, the respondent-management terminated them on the flimsy excuse that there was no work to do. In fact the respondent-management denied the workers work from 16-9-87 onwards but the workers were offered retrenchment compensation only on 24-8-88 which the workers refused to receive. This is a clear violation of Section 25(F) of the Industrial Disputes Act, which says that the retrenchment compensation is a condition precedent to termination. The nature of work done by the claimant workers are all part and parcel of mining operations. Hence it would not be wrong to say that these workers were miners. According to Mines Act, 1952 Section 2(1)(j) 'mine' means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, and includes, (i) all borings, bore holes and oil wells, (ii) all shafts, in or adjacent to and belonging to a mine, whether in the course of being sunk or not (iii) All levels and inclined planes in the course of being driven (iv) all open cast working (v) all conveyors or aerial roadways provided for the bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom :-

Section 2(1)(ii) of the Mines Act, 1952 minerals' means all substances which can be obtained from the earth by mining, digging, drilling, dredging, hydraulic, quarrying, or by any other operations and includes mineral oil (which in turn include natural gas and petroleum). Section 2(1)(kk) of the Mines Act, 1952 "Open Cast Working" means a quarry, that is to say, an excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on not being a shaft or an excavation which extends below superjacent ground; Section 2(2) of the Mines Act, 1952 a person working or employed in or in connection with a mine is said to be working or employed (a) below ground if he is working or

employed (i) in a shaft which has been or is in the course of being sunk or (ii) in any excavation which extends below superjacent ground and (b) 'above ground' if he is working in an open cast working or in any other manner not specified in Clause (a). And Section 25(B) clearly says that in case of mines 190 days of work in a period of twelve months would do to consider the workers on a regular workmen of the company. The Management alleges that the workmen were casual labour as per Section 2(f) of the Standing Orders. The workmen may have worked on a daily wage but their work is certainly not casual for they performed tasks like prospecting, loading and unloading the mined lime stones etc. which is very much a continuous routine job in any mine and the work is not a casual nature. The respondent-management in its calculation of 240 days has excluded Sundays and Festival holidays which is not how it should be done [vide 1985 (2) ILJ 539 --Workmen of American Express Case]. Even assuming 240 days are needed (which is not so 190 days will do) one cannot exclude holidays and leave days from the total number of days worked. All this show a clear case of carelessness and malafide on the part of the respondent-management. The workers have in fact been exploited and then harassed. For the above reasons, it is prayed that this Tribunal may be pleased to hold the action of the respondent-management in terminating the 13 poor workers who have put in 10 or more years of faithful services as illegal and regularise the workers with full back wages and all other attendant benefits.

4. The defence of the respondent briefly stated is as follows :

At the very outset it is submitted that the reference itself is not maintainable in law. The respondent Company viz., India Cements Ltd., is engaged in the manufacture of cement and it has a factory at Sankari West in Salem District and also at Sankarnagar, Tirunelveli Dt. For this purpose, they have taken certain mines on lease. The workmen, whose alleged non-employment has been referred to for adjudication were engaged purely on casual basis and on in prospecting operations which is defined under the Mines and Minerals (Regulation and Development) Act, 1957. These operations are only undertaken for the purpose of exploring, locating or pruning mineral deposits, whereas mining operations would cover operations undertaken for the purpose of mining any mineral. Therefore, these workmen were engaged only on casual basis, and on the days they worked they have been paid. The very engagement itself is highly sporadic in nature and there is no continuity in their engagement. It is submitted that none of the casual workers have put in the requisite number of 240 days in a period of 12 months, so as to demand regularisation and reinstatement. Therefore, on a perusal of the facts of this case and the nature of employment and the period of employment given to these employees, it is submitted that their demand is totally unjustified. These employees who were engaged on casual basis, were discontinued to be engaged after 15-9-1987. They were working purely on a day-to-day terms and the work allotted to them were fluctuating and not full-time work. The margin of work performed by them is purely casual and highly sporadic. Therefore the claim made by them is not

justified and liable to be rejected. The Company has been incurring heavy losses during the financial years 1986-87, 1987-88, and 1988-89 which is as Rs. 299.47 lakh for 1986-87, Rs. 186.59 lakhs for 1987-88 and Rs. 79.00 lakhs for 1988-89. The higher manpower with wet process of manufacturing cement, the low productivity and high competition are the strong and main factors affecting the very high viability of the unit. In fact with a view to reduce the manpower, the Voluntary Retirement Scheme has been introduced and the same is still in operation. The Company had not habit of employing workers to do mining on daily wages. In fact, the purpose of doing mining operation, the respondent employs permanent workers on Cement Wage Board Scales of Pay. None of the 13 workers mentioned in the reference was with the Company for 10 years till the last date of employment viz., 15-9-1987. The claimants while raising an industrial dispute in the instant case before the Assistant Labour Commissioner, in their representation dated 24-8-1987 [copy forwarded to the respondent by the Assistant Labour Commissioner under cover of letter No. M. 40(20)/87-D.2 dated 30-9-1987] had enclosed a statement showing the particulars of casual workmen's employment, age and year of the length of service. The lengthy service has uniformly stated as 9 years for all the 13 ex-casuals on 24-8-1987. Further, in some of the cases the claimant have given the age as 25 and year of service as 9 uniformly. It would amount to their saying that the concerned ex-casuals entered the service at the age of 15 and 16 as a child or adolescent which would not have been possible and would not have been permitted by the Management (respondents). This is an incongruous statement. The present contention of the petitioners before the Tribunal to the effect that the ex-casuals put in service of 10 years or more is an absolute lie. The petitioners have deliberately given false information regarding service particulars to suit their convenience. The petitioners themselves have admitted that these casuals have been working "on a day to day terms" which would only mean that the nature of work is fluctuating and not full time to put it in other words, the nature of work is only casual. It is not true that these ex-casuals have worked for as many as 238 days in every calendar year. None of the claimant has put in 240 days as alleged by the petitioner in their claim statement. There has been no exploitation of workers by the management. The claimants have put in 10 years of service, is false. Though mining might be an essential part of cement manufacturing process, these workmen who are concerned in the present reference were never engaged in the mining operations. They were engaged in prospecting operations, which have no connection whatsoever to the manufacturing process. Apart from that their engagements itself was sporadic in nature and they were engaged off and on only when exigencies arose. The Indian National Cement Workers Federation (representing the Workmen employed in Cement Industry in the Country) raised a charter of demands before the Cement Manufacturers' Association (representing the employees in the Cement Industry in the Country) and demands were referred to Arbitration under Section 10(4) of

the Industrial Disputes Act, 1947. Due to unforeseen developments, the Arbitration Board did not complete the task which was enjoined upon it due to the withdrawal of the Federation from the Arbitration proceedings. The demands raised by the Federation were common ones raised at the National level and not ones relating to any single cement unit. As such the contention of the petitioner-union that the termination of these workers' was effected by the Management during the pendency of the Arbitration Proceedings, is thoroughly misleading. Subsequently a Settlement under Section 12(3) of the Industrial Disputes Act, 1947 has been arrived at between the Cement Manufacturers' Association (CMA) and the Federation before the Chief Labour Commissioner, New Delhi on 10-5-1989 in full and final settlement of all the demands raised by the Federation and as such there is no dispute subsisting in the Cement industry. The Petitioner-union is affiliated to the Federation and is bound by the Settlement. The casuals engaged in the factory who were mainly connected with manufacturing process were regularised under the Tamil Nadu Conferment of Permanent Status Act, Mines Act, and Factories Act come under different enforcing authorities,—they formed under the Central Sphere, and the latter under the State's sphere. The applicability of these acts to the respective spheres of activity does not stand altered in the least by any of the provisions of the Award. The Factories Act, 1948 shall not be applicable to the Mines; so also the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 does not cover the mines. The definition of Industrial Establishments in Section 2(3) of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 endorses the definition of a factory as in clause (m) of Section 2 of the Factories Act, 1948, which means that "a manufacturing process goes on in an industrial establishment". No pre-mining activity can be classified as a "manufacturing process" and the attempts to draw any substance for their arguments from the said Act lacks substance. The allegation that the Management in a very tactful method terminated workers on the ground that their services are no longer required when the petitioner-union raised a demand for regularisation of the services of these workers before the Arbitration Board and while such proceedings were in progress is untenable. The contention of the petitioner that the workmen should have been confirmed long time back as per the provisions of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 since they have put in 480 days in 24 calendar months is again not sustainable because actually none of the workmen have completed with the requirement as stipulated under the above Act. None of them have put in 240 days in a calendar year. The Federation's demand on casual labour regularisation in the cement industry before the First Arbitration Board in 1978 has been arbitrated upon as under "153. Demand No. 11—Casual Labour". The Federation has demanded as under: "Casual employees who have or will complete six months service, should be made permanent. Casual Labour is defined as that labour which is engaged in work of casual nature. If the work itself is casual, the demand of the workmen engaged in such

work should be made permanent, cannot lie. If however, labour is employed in work of a permanent nature and is called as casual, then it would be a wrong classification and an unfair labour practice, which has to be corrected. This will, therefore, depend upon the facts and circumstances of each case. Our award is that no casual labour shall be employed in work of a permanent nature". In the second Arbitration Award of 1983, the same position is maintained in regard to casual labour regularisation and entitlement. In both the awards of 1978 and 1983 the coverage of workmen who are entitled to award benefits has been clearly defined. In accordance with the provisions of the Award, the award benefits were extended to casual and contract workmen in the permitted occupations. The respondent-management has extended all the benefits under the Arbitration Award to the casuals as stipulated in the Award. Since the petitioner-workmen were not engaged in the mining activities, connected with the manufacturing process, their Union itself did not raise any demand before the Arbitrators knowing fully well that they are not eligible to be considered for regularisation. The petitioner workmen were not doing surveying work, road laying work inside the mines, loading and unloading the mine limestone etc. They were not doing this part and parcel of mining operation is again denied. As stated earlier, they engaged only in prospecting operations, as defined under the Mines and Minerals regulation and Development Act, 1957. For the purposes of loading operations of limestone, and rejects, the respondents have got a separate permanent category of loaders, getting Cement Wage Board scales of pay. Unloading operations are not done manually. All the loaded material like limestone and rejects are unloaded by tippers having mechanical dipping device. The workmen though work on daily wage scheme. They worked every day of the year is not totally true. While it is true that the workers were engaged on daily wage basis, they were not engaged on all the days in the year. They were engaged as and when exigencies arose, which itself was very sporadic in nature. On the days they had worked, they were paid the wages. They were working on Sundays and during National and Festival Holidays is not true because, the mines do not work on Sundays and National and Festival holidays. The Workmen have not yet put in 10 years of continuous service. The nature of work performed by these workmen were not continuous in nature at all and which was highly fluctuating and it was also not fulltime. There was a gradual decline in the availability of work for these workers and therefore, the respondent could offer work only on very few occasions. Since there was no scope for providing work to these petitioners, having regard to the decline in the availability of work due to various reasons, the workmen could not be engaged from 16-9-87 onwards. They have not been substituted by any category of workmen subsequently because there was absolutely no scope. The engagement of casual workmen had to be discontinued and abolished in the factory as well as in mines due to the reasons, that there was surplus workers which is disproportionate, having regard to the availability of the work, making the very unit difficult and unenviable. There is no violation of Section 25-F of the Industrial Disputes Act, as alleged by the petitioner. The respondent

Company was actually exploring the possibility as to whether there is any scope for further prospecting operations. Only after finding out that there is no such scope, the respondent had to decide that there is absolutely no room for engaging these casuals, and therefore, they offered the compensation, by way of gesture, though legally the petitioners are not eligible for the same. The nature of work performed by the claimant workmen are all part and parcel of the mining work is denied. The contention that the work performed would satisfy the definition of the requirement of Section 2 as defined in the Mines Act, is not correct. The claim that if the workmen had put in 190 days in a period of 12 months, they should be regularised is not sustainable in law and also on the facts of this case. The contention of the petitioner that the work performed by them was not casual, since they performed the task of prospecting, loading, unloading, of the mined lime, etc. which itself is continuous in nature, is not untenable. The workmen did not perform the loading and unloading work nor was it a continuous and routine job. Even assuming that the workers are covered under Section 2(f) of the Certified Standing Orders, they are not covered under Section 1(b)(i), since their activities are not connected with any mining operations. Therefore, they were only casual workmen whose job were only of casual nature. Moreover from the facts, it would be clear that the work was also not continuous but only casual. None of the definitions as mentioned in paragraph 9 of the petition is applicable to them. It is not correct to say that if the workmen had worked in 190 days in a year, they will be deemed to be permanent. The workmen cannot take advantage of that position of 190 days in view of the fact that they would not come under the definition as mentioned in the Mines Act. Moreover, they have not put in 240 days also, as could be seen from the facts of this case. In any event, the claim of the workmen is absolutely untenable and liable to be rejected. Hence it is prayed that this Tribunal may be pleased to pass an award rejecting the claim of the petitioners.

5. The issue for considerations: Whether the Management of India Cements Ltd., Sankari West is justified in not regularising and terminating the services of the 13 casual workmen viz., S'Shri R. Palaniappan, V. Chinnan, R. Subramani, R. Muthusamy, K. Vellayian, K. Palani, S. Natarayan, P. Kuppan, K. Peruman, K. Pachiappan, K. Chellanuthu, P. Muthupaiyan & C. Alimuthu? If not to what relief are these 13 casual workers entitled to?

6. The Issue: The Petitioner-Union wrote the letter of the original Ex. W-1 to the General Manager of the respondent that 13 workmen are not provided with work from 4-12-86 and requested the General Manager, to provide the said 13 workers with work. In Ex. W-1 it is stated that 13 workmen are working in the mines for the past 9 years. The Union wrote the letter to the Assistant Commissioner (Central) Madras that the Management of the respondent has not provided the 13 workmen with work and requested the Assistant Commissioner (Central) to take necessary steps to see that 13 workmen are provided with work. The Union addressed to the General Manager of the respondent that the said 13 workmen

and not provided with work from 15-9-87 and reiterated the claim of the 13 workmen to be provided with work is evidenced by Ex. W-3. The Management of the respondent sent a reply to the Assistant Commissioner of Labour (Central), that the aforesaid 13 employees were casuals and were engaged purely for prospecting purposes which is unconnected with mining operations, as defined u/s. 3 of the Mines Act, 1952, that the 13 casuals were engaged for prospecting purposes whenever prospecting work is available, that their claim for permanent status cannot be countenanced, that the work assigned to the 13 casuals is purely sporadic in nature, and the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981 and Rules made thereunder do not apply to the mining. The respondent incurred a loss of Rs. 60 lakhs in 1985-86, and Rs. 324 lakhs in 1986-87 due to surplus man power, voluntary retirement scheme is adopted to reduce the surplus man power, is disclosed by Ex. W-4. The Union addressed to the Assistant Commissioner of Labour (Central-II) that the respondent is an Industrial Establishment to which the Factories Act and Mines Act are applicable for factory workers and mines workers that non-providing of work to 13 workers is unjustified and illegal and they must be provided with work is disclosed by Ex. W-5. The Management of the respondent sent a reply to the Assistant Commissioner of Labour (Central-II), that the 13 casuals were engaged in pre-mining work, that the work assigned to them, is for prospecting purposes only, their nature of work is not regular that there is no new area to provide work to the 13 casual workers and they were not engaged in diamond drilling operations. Their stand that they were engaged in diamond drilling operation is their imagination is evidenced by Ex. W-6.

7. The Union addressed to the Assistant Commissioner of Labour (Central-II), that the particulars of the days on which the 13 workers worked, furnished by the Management of the respondent to the Asst. Commissioner of Labour, (Central-II), are incorrect and Union has furnished the correct particulars regarding the days on which the 13 workmen were engaged in mines is evidence from Ex. W-7. The Management of the respondent paid retrenchment compensation of Rs. 4,770 to R. Palaniappan, Chinnan, K. Vellaiyan, R. Palani, S. Natrayan, P. Kuppan, K. Perumal, K. Pachaiappan, and Rs. 3,870 to K. Sellamuthu, P. Muthupaiyan, C. Alimuthu. The concerned 13 workers sent reply to the General Manager of the respondent that the paid holidays were not taken into account while calculating the number of days they worked and demanding wages and allowances from 16-9-87 since the Conciliation proceedings is pending, is evidenced by Ex. W-15 series. The details of the annual leave of Chinnan and Alimuthu are stated in Ex. W-8. The details of leave of the temporary workers are furnished in Ex. W-8. The 13 workers worked in all departments is disclosed by Ex. W-9. The respondent sent reply to the Asst. Labour Commissioner (Central-II), that the concerned 13 workmen are not entitled to the claims made by them. The Conciliation Officer sent a report of failure of negotiation to Secretary, Government of India, Ministry of Labour, New Delhi is supported by Ex. W-12. In Ex. W-13 the workman

is defined as any person employed by the Company in the mines directly or through piece workers, on probation or otherwise, to do any clerical, skilled, unskilled or manual labour, and includes any person similarly employed in transport or rejects in so far as pertaining to mining. The workers are classified as Permanent, Probationer, Substitute, Temporary, Casual and Apprentice, in Ex. W-13. Clause (e) of Ex. W-13 Temporary workman is defined as one who has been engaged for work which is of an essentially temporary nature which includes all construction and/or erection or any other work. The services of temporary workmen can be terminated without notice at the discretion of the Management. Casual workman is defined as one who is employed on a work of essentially casual nature, under Clause (f) of Ex. W-13. The work done by the concerned workers is not essentially in nature. They laid roads in the mines. They have not worked in all the departments, their work is not of essential in nature in the process of manufacturing cement. The workmen are entitled to 8 holidays viz., Republic day, Independence day, Gandhi Jayanthi, Pongal, Adi 18th, Ayudha Pooja, Diwali and a sectional holiday each for Hindu, Muslim and Christian communities at the option of the individual worker (1) for Hindus Vinayakachathurthi or Avani Avitiam or Tamil New Year's day. For Muslims Bakhrud or Ramzan and for Christians Good Friday, Christmas, or New Year's day with wages is supported by clause (b) of Ex. W-13. The respondent has not taken the wages paid holidays for calculating the number of days on which the concerned workers have worked.

8. The number of days on which the concerned 13 workers have worked and the leave availed by them are furnished in Ex. W-11. The petitioner-union is a renowned union is proved by Exs. W-20 and W-21. The contract system should be abolished and the casuals should not be employed for work of permanent nature is evidenced by Ex. W-22. The workers contribution to employees Provident Fund is supported by Ex. W-23 series and W-24 series. The petitioner Union is affiliated to the Indian National Cement and Allied Workers Federation, Bombay. The status of permanency claimed by the 13 workers concerned of the items of charter of demands of the Federation. The dispute was referred to for arbitration. The Indian National Cement and Allied Workers Federation, Bombay withdrew from the arbitration. Federation and the Management entered into a Settlement is evidenced by Ex. M-1. The charter of demands is Ex. M-2. The workers issued a strike notice is borne out by Ex. M-3 and M-4. The Cement Manufacturers Association and Federation entered into a Settlement and withdrew the dispute from arbitration proceedings, is established by Ex. M-5. The Cement Manufacturers Association and the Federation entered into a Settlement under Section 12(3) and 18(1) of the Industrial Disputes Act, and the All India Strike was withdrawn is borne out by Ex. M-6. Voluntary retirement scheme was introduced. It is in force. There is a surplus of manpower and there is no availability of work. The Cement Manufacturers Association agreed not to employ outsiders from 1-6-87 to 31-7-87 is evidenced by Ex. M-7. The total strength of the labourers as on 30-6-92 is 1395, is made out by Ex. M-8. The registration certificate of the respondent was amended, is substantiated by Ex. M-9. The Union

sent a petition to the Assistant Labour Commissioner (Central) requesting for regularisation of 16 casuals on the ground that they worked for number of years in all departments of manufacture of cement is disclosed by Ex. M. 10. The Management and the Workmen entered into a Settlement under Section 18 (1) of the Industrial Disputes Act, is established by Ex. M. 11. The Management and the Union entered into a Settlement on 15-4-81 and 16-4-81 under Section 18(1) of the Industrial Disputes Act, is proved by Ex. M. 12. Labour Court, Coimbatore passed an award in I.D. No. 4/80 to regularise the work of 96 non-employment contract workers to provide work to 96 workers and absorb them as early as possible according to the seniority stated in the annexure in the existing permanent vacancies, and to employ casual labourers on rotation basis, till permanent vacancy arise and give work on rotation basis and the workers are not entitled to back wages, is borne out by Ex. M. 13. Ex. W-28 is the rules of the respondent. The workmen who are 15 years and above, age can become the ordinary member of the Union as per the Rules of the Union Ex. W-28. The total membership of the petitioner-Union is 2066 as on 1-1-86 is borne out by Ex. W-18. The total strength of the membership of petitioner-union for the year 1987 is 2085 is evidenced by Ex. W-19. The contention of the respondent that the records are cooked up and manipulated for the occasion is supported by convincing, satisfactory and acceptable evidence. Sundays and other paid holidays should be taken into account in reckoning the number of days on which the 13 workers is said to have actually worked has been held in 1985 II LLJ P 539, Workmen of American Express International Banking Corporation Vs. Management of American Express International Banking Corporation.

9. If the employment is for a specific contract work, for a specified period, it automatically comes to an end on the expiry of the period or the work is over. The workmen are not entitled to reinstatement has been held in 1974 I LLJ p 459, The Management of Crompton Engineering Co. (Madras) Pvt. Ltd., Vs. Presiding Officer, Additional Labour Court, Madras and 3 others. It is not disputed that the 13 workmen were engaged on daily wages basis on terms of day today. The 13 workmen have done only the pre-mixing and prospecting work which are not essentially part and parcel of the cement manufacturing process. Section 2(1) (j) of Mines Act, 1952 defines "mine" means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, and includes (i) all borings, bore holes and oil wells; (ii) all shafts in or adjacent to and belonging to a mine, whether in the course of being sunk or not; (iii) all levels and inclined planes in the course of being driven; (iv) all open cast workings; (v) all conveyors and aerial roadways provided for the bringing into or removal from a mine of minerals or other articles or for the removal of refuse therefrom; Section 2(1)(jj) of the Mines Act, 1952 defines "minerals" means all substances which can be obtained from the earth by mining, digging, drilling, dredging, hydraulic, quarrying, or by any other operation and included mineral oils (which in turn include natural gas and petroleum). Section 2(1)(kk)

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of the Mines Act, 1952 defines "Open Cast Working" means a quarry, that is to say, an excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on, not being a shaft or an excavation which extends below superjacent ground. Section 2(2) of the Mines Act, 1952 defines 'Miner' as a person working or employed in or in connection with a mine is said to be working or employed (a) "below ground" if he is working or employed (i) in a shaft which has been or is in the course of being sunk or (ii) any excavation which extends below superjacent ground and (b) "above ground" if he is working in an open cast working or in any other manner not specified in Clause (a). Section 25(B)(2)(a) (i) of I.D. Act, clearly says that in case of mines 190 days of work in a period of twelve months would do to consider the workers as a regular workman of the Company. The 13 workmen were casual labourers as per Section 2(f) of the Standing Orders is not disputed by the Management of the respondent. The work of the 13 workmen was confined to laying of road, cleaning and removing of grass. They were engaged in laying of road, in the mines for the purpose of transportation of lime stone which is not a part and parcel of cement manufacturing process. Loading of cement is mainly done by 13 workmen. The 13 workers were engaged in works which are not essential in nature in Cement Manufacturing Process. The order of appointment of the 13 workers is not produced does not mean that the nature of work done by 13 workmen is essentially in nature connected with process of manufacture of cement. The muster roll and the attendance register and the time card and the wage register are not produced by the Management of the respondent do not ipso facto prove that the 13 workers were not engaged purely for prospecting and sporadic nature of work.

10. The total number of workers is 1315. There must be espousal of the case of the 13 casual workers concerned, by a substantial number of workmen to champion their cause with regard to the dispute of their non-employment, regularisation, and status of permanency. There is no espousal by substantial number of workers. Reference is not only incompetent but also bad in law. It is the duty of the Government to consider whether it is fit and proper to refer the dispute to this Tribunal for adjudication. Reference is bad in law and incompetent and as such it is liable to be struck down. There must be an espousal by substantial number of workers to raise the dispute to enable the Government to refer the dispute to this Tribunal for proper adjudication, has been held in 1962 II LLJ P 93 Visalakshi Mills Case, 1949 I LLJ P 875. The Kandans Textile Limited Vs. The Industrial Tribunal (I), Madras and 2 others 1965 I LLJ P 95 Nellai Cotton Mills, Tirunelveli Vs. Labour Court, Madurai & another, AIR 1975 SC P 531. State of Punjab Vs. Gondhara Transport Co. (P) Ltd., & Others AIR 1968 SC P 515 Vol. I. The Sindhu Re-Settlement Corporation Ltd., Vs. The Industrial Tribunal of Gujarat & Others, 1973 I LLJ p 273 Vallamalli Estate, Valparai and Workers of Vallamalai Estate, Valparai and another and 1989 II CCN P 699 Workmen of Brooke Bond India Ltd. (represented by Secretary, Coimbatore Distt. Porliyal Pothu

Thozhilalar Sangam) Coimbatore Vs. Industrial Tribunal, Madras and 3 others.

11. The General Body of the petitioner-union held on 26-1-1987 have not resolved to espouse the cause of the 13 workers, is admitted by WW2. The General Body of the Petitioner-Union have not passed any resolution to take up the cause of the 13 workers. The Executive Committee have not passed resolution to espouse the cause of the 13 workers. Executive Committee must have authorisation to champion the cause of 13 workers to raise an Industrial Dispute. There is no ratification of the action of the Executive Committee by the General Body is admitted by WW2. The dispute must be between the Management and the workers to raise an Industrial Dispute for adjudication. In the present case, practically there is no evidence on the side of the petitioner-union that either the General Body or the Executive Committee have passed the resolution to espouse the cause of the 13 workers and substantial number of workers have resolved to raise an Industrial dispute for regularisation of the 13 workers concerned to secure the status of permanency to the workers concerned. The Executive Committee met and passed resolution for the cause of the 13 workers in Ex. W-16. The General Body Meeting alleged to have been held on 26-1-1987, is disclosed by Ex. W-26. In the General Body meeting there is no reference with regard to the 13 casual workers. There is no resolution by the General Body authorising the Executive Committee to raise Industrial dispute with regard to the 13 casual workers concerned. In Exhibits W-18, 19, 26, 27 there is no signature of any Trade Union official. There is no evidence that 1315 workers attended the General Body Meeting alleged to have been held on 26-4-1987. Section 2(k) of the Industrial Disputes Act (hereinafter called the Act) defines Industrial dispute. Section 2-A of the Act defines individual dispute. There must be a collective espousal for the non-employment of 13 workers. The reference is incompetent, is bad in law and as such it is liable to be struck down since the cause of the 13 workers regarding regularisation and status of permanency is not espoused by substantial number of workers, and it is not having the support of substantial number of workmen concerned.

12. The Indian National Cement Workers Federation came forward with a charter of demands 50 in number including regularisation and claim of status of permanency. There was dispute between the said Federation and the Cement Manufacturers Association. The issue in the present I.D. and the demand No. 30 in the charter of demands is identical. The dispute was referred to an arbitrator. In pursuance of the arbitrator's arbitration, agreement dated 9-9-1986, the demand of 13 workers was made in September, 1987. The Federation of the Cement Manufacturer's Association of the entire nation entered into a Settlement dated 10-5-1989 is borne out by Ex. M.6. Clause 7 of the said Settlement categorically states that the Settlement is in full and final Settlement of all the claims. The 13 workers concerned cannot legally claim permanent status. Their dispute has been already settled and the Settlement is an Award. The award is subsisting

and it is in force. The Settlement is not terminated. So, the reference is incompetent and bad in law is held in AIR 1968 SC P 515 Vol. I. The Sindhu Resettlement Corporation Ltd., Vs. Industrial Tribunal of Gujarat and Others, 1973 II LLJ P 283 Employees of Thungabhadra Industrial Ltd., Vs. Their Workmen and another and 1989 I LLJ P 180. The Management of Birny Ltd., (B&C Mills) Vs. The Govt. of Tamil Nadu and Others. The Union cannot raise the same dispute since it has been fully and finally settled, is proved by Ex. M.6. So, the reference is incompetent as the Industrial Dispute is not supported by the majority of the workmen. The aforesaid Settlement is at all India level. When there is no dispute between the Management and workers, this Tribunal has no jurisdiction, is held in 1973 I LLJ page 273 Vallamalai Estate, Valparai Vs. Workers of Vallamalai Estate, Valparai and another. In that case it is laid down that there must be an Industrial dispute between the Management and the workmen on the date of reference to give jurisdiction to this Tribunal. On the date of reference, there is no industrial dispute between the petitioner-union and the Management of the respondent and this Tribunal has no jurisdiction. If this Tribunal passes an award, it will be a nullity since dispute has already been settled and award is in force. Though the dispute is referred to this Tribunal for adjudication, the Management and the workers had already amicably settled the dispute. The dispute has to be dealt as a whole and cannot be split up or compartmentalised. The Tribunal cannot segment the Settlement into pieces and cannot hold that one portion of the Settlement is fair and another portion is bad has been laid down by the Supreme Court in AIR 1977 SC P 322 Horbertsons Ltd., Vs. The Workmen of Herbertsons Ltd., and Others.

13. The Settlement has to be taken as a package deal. The Settlement and the award stand on the same footing is held in 1981 I LLJ P 1 Life Insurance Corporation of India Vs. D. J. Bahadur and Others. The Union cannot be permitted to change the date of unemployment for adjudication purposes has been held in 1987 I LLJ P 141 English Electric Company of India Ltd., Vs. Industrial Tribunal, Madras and another. Section 2(1)(j) of the Mines Act, (hereinafter called Act) defines the Mine, as "any excavation where any portion for the purpose of searching or obtaining minerals has been or being carried out. Section 3(h) of the Mines and Minerals Act, defines prospecting, means any operation undertaken for the purpose of exploring, or locating of minerals. The 13 workers worked only on the ground, and for the purpose of prospecting work such as cleaning, the ground, and taking water and other incidental works is spoken to by MW1 and MW2. So, the 13 workers cannot be called as miners by any stretch of imagination. The work of the 13 workers is fluctuating and it is restricted. Section 40 of the Mines Act, states that the persons who are below the age of 18 cannot be employed in Mines. Some of the workers were minors at the time of being prospecting operations. Rule 25 requires fitness certificate once in 5 years. Union has not produced fitness certificate to work in the mine. Section 43 of the Mines Act says that if a person seeks employment in a

mines, he must obtain a certificate of fitness from a doctor. Section 45 prohibits presence of any person below the age of 18, and Rule 93 prohibits employment of women in mines. Notice must be given to the authority concerned before excavation. The Chief Inspector of Mines has got power to inspect mines at any time to find out whether there is any violation of the Act. The prospecting operations cannot be extended for more than 2 years. Lease of mine cannot be extended for more than 20 years. 13 workers worked in the mine for more than 9 years is not proved by legal and acceptable evidence. The worker in mine must have worked continuously for 190 days to support his claim of status of permanency. The workmen must have been put in 240 days service in a calendar year. There is no proof that the 13 workmen have put in 240 days of work. Saturday and Sunday are not working days. The 13 workmen are engaged only in prospecting work for about 3 to 4 months in a calendar year as per the evidence of MW1. According to the evidence of MW1 the 13 workmen were doing the work of watering the roads, during the prospecting operations. There are regular permanent workers to do prospecting work and work under the mines and the workers were helping them. In the claim statement it is stated that 13 workers were engaged in loading, unloading of mined lime stone and prospecting work.

14. The 13 workers were engaged in pre-mining works, and as such they cannot claim regularisation and status of permanency. Mining operation starts from 6 mtrs. depth. The 13 workers were casuals, as such prior notice for termination of service as required under Section 9-A of the I.D. Act is not necessary. The 13 workmen have not been put in 480 days of service in 24 calendar months and as such they are not legally entitled to claim status of permanency under the Tamil Nadu Industrial Establishment (Conferment of Permanent Status to Workmen) Act. So, their claim of regularisation and permanent status is unsustainable in law. Mines are excluded from the Tamil Nadu Permanent Status Act. Even assuming that the 13 workers were engaged in mining operations, they cannot legally claim regularisation and status of permanency since the issue is already adjudicated, is established by Ex. M.6. Even assuming that 13 workmen were actually engaged in mining operations for a period of 190 days, as per the Mines Act, and 240 days in a calendar year, their claim of regularisation and status of permanency cannot be countenanced in view of the Settlements arrived at by the All India Workers Federation and the Cement Manufacturers Association, is established by Ex. M-6. The 13 workmen were engaged on daily wages basis and day today terms and were paid wages for the day, they had actually worked. The holidays cannot be included for the purpose of computing the number of working days u/s. 25(B) of the I.D. Act, is laid down in 1985 II—LLJ p 539 The Workmen of American Express International Banking Corporation Vs. The Management of American Express International Banking Corporation and 1986 I—LLJ p 127 Shri H. D. Singh Vs. Reserve Bank of India & Others. Practically there is no evidence that National holidays, festival holidays, and other holidays and wages paid holidays are included in Ex. W-11. Section 50 of the Mines Act, excludes, weekly days of rest, and festival

holidays. Even assuming that there is violation of Section 25-F, 25-N and 25-G of the Industrial Disputes Act, the claim of the 13 workmen for regularisation and status of permanency are unsustainable in law since the dispute has been already settled under Ex. M.6. The work done by the 13 workers was not a full time work. 93 workers were made permanent and transferred to mine. There is no proof that the 13 concerned workers are senior to 93 workers. There is no work available to provide work to the 13 workers. There must be a post to reinstate. There is no post of scope for reinstatement. So, the question of reinstatement of 13 workmen concerned does not arise at all. The 13 workers were offered retrenchment compensation by way of abundant caution, and as a measure of gesture and good will on the part of the Management. There is excess man power in the mines. So, the Management of the respondent company has adopted voluntary retirement scheme. Some of the workers have voluntarily opted for retirement. The respondent Company is not in a position of viability. The 13 workers have no vested right to post, is held in 1987 I.L.L.J p 141 English Electric Company of India Ltd., Vs. Industrial Tribunal, Madras & another. There must be a post and the casual workers have no right for the post is held in 1994-I—LLJ Page 459 Management of Crompton Engineering Company (Madras Pvt. Ltd., Vs. The Presiding Officer, Additional Labour Court, Madras and 3 others. The 13 workers concerned have no vested right to hold the post.

15. Admittedly the 13 workers are casuals and they are not automatically entitled to status of permanency. They do not automatically become permanent employees. Non-compliance of provisions of Section 25-F(b) casual workers are not entitled to status of permanency, that they are not entitled to reinstatement, that they are entitled to claim retrenchment compensation is held in 1990 I—LLJ p 345 Workmen of English Elec. Co. of (1) Ltd., Madras Vs. The Presiding Officer and another and 1979 I—LLJ Page 41 Mgn' of Coimbatore Poiner B. Mills Vs. Presiding Officer, Labour Court, Coimbatore & others. Violation of Section 25-F(1) has followed the principle last come first goes. The 13 workers were casuals. So, prior permission of the Tribunal is not necessary to terminate their services. They cannot claim parity with 96 workers who are transferred from mines, to the factory, and they are made permanent as per the award passed in I. D. No. 4/1980. The question of violation of Section 25-G of I. D. Act does not arise. Contravention of Section 33 of the Industrial Disputes Act enables the worker to file a complaint under Section 33-A (a) of the Industrial Disputes Act, and it is construed as Industrial Dispute and is referred to the Tribunal under Sec. 10 for adjudication Complaint under Section 33-A is deemed as an industrial dispute is held in 1975 II LLJ page 526 Dalmia International Ltd., Kerala Vs. Thomas and another. Non-compliance of Section 33(2)(b) of the Industrial Disputes Act does not vitiate the punishment, is held in 1973 I—LLJ p 544 General Secretary, Chemicals and Pharmaceuticals Works Employees' Union Vs. Management, National Chemical Pharmaceutical Works and another and 1978 II LLJ page 1 SC Punjab Beverages Pvt. Ltd., Vs. Suresh Chand & another.

16. The retrenchment of the 13 workers is not an unfair labour practice, or illegal or arbitrary or unfair. There is no question of discrimination. There is no question of victimisation. The canteen workers are made permanent since their work is of permanent nature. The non-employment of 13 workers is justified, warranted and tenable. The termination of the 13 workers has not violated the Industrial Dispute Act, since the Conciliation is not pending. Their work was purely casual in nature. They were dispensed with since there was no job opportunity. Temporary worker can be terminated without notice at the discretion of the Management as per Clause 2(c) of the Standing Orders. 13 workers could not be engaged since 16-9-1987, as there was no work for them. The 13 workers were engaged purely on casual basis and in prospecting operation. They have not put in requisite number of 240 days in a period of 12 months in order to sustain their claim for regularisation and reinstatement. They worked on day to day terms. There must be a clear and specific demand by the Union for raising Industrial dispute. No Industrial dispute existed between the Management and the 13 aggrieved workers to enable the Govt. to make an order of reference under Section 10(1) of the I.D. Act. There is no evidence of espousal regarding the concerned 13 workmen. Jurisdiction of this Tribunal depends upon the existence of Industrial dispute or apprehension of Industrial Dispute. This Tribunal has no jurisdiction since identical issue is already settled and resolved, so, the reference is liable to be rejected as incompetent. WW1 and WW2 admit that the 13 workers worked on ground level. So, the 13 workers are not mine workers. Casuals cannot claim permanency. 13 workers have not obtained certificate of fitness from a doctor as contemplated by Sec. 41 of the Mines Act. Viewed from any angle, the 13 workers are not entitled to claim regularisation, status of permanency, full back wages and all other attendant benefits, since their termination from service is legal. For the foregoing reasons, this Tribunal comes to the conclusion that the Management of India Cements Ltd., Sankari (West) is justified in not regularising and terminating the services of the 13 casual workers viz., S/Shri R. Palanappan, V. Chinnan, R. Subramani, R. Muthuswamy, K. Vallaiyan, R. Palani, S. Natrayan, C. Kuppan, K. Perumal, K. Pachiappan, K. Chellamuthu, P. Muthupaiyan, and C. Alimuthu, and they are not entitled to the claims made by them. The first part of the issue is found in the affirmative and the second part of the issue accordingly.

In the result, award is passed rejecting the claim of the petitioner. No costs.

Dated, this the 25th day of January, 1995.

THIRU K. PONNUSAMAY, Industrial Tribunal

WITNESSES EXAMINED

For Workmen

W.W. 1 : Thiru S. K. Palaniappan.

W.W. 2 : Thiru S. Natarajan.

For Management :

M.W. 1 : Thiru S. Radhakrishnan.

M.W. 2 : Thiru V. Paramasivam.

DOCUMENTS MARKED

For Workmen :

Ex. W-1|5-12-86 : Letter from the Petitioner-Union to the Management demanding regularisation of 13 casual employees (Xerox copy).

W-2|24-8-87 : Letter from the Petitioner-Union to the Asst. Commissioner of Labour, Madras enclosing list of casual labourers (Xerox copy).

W-3|15-9-87 : Letter from the Petitioner-Union to the Management regarding non-employment of casual labourers (Xerox copy).

W-4|1-12-87 : Counter of Management filed before the Asst. Labour Commissioner, (Central-II), Madras (Xerox copy).

W-5|7-12-87 : Reply statement filed by the Petitioner-Union before the Asst. Labour Commissioner (Central-II), Madras (Xerox copy).

W-6|21-12-87 : Reply by the Management to Ex. W-5 (Xerox copy).

W-7|10-8-88 : Letter from the Petitioner-Union to the Asst. Labour Commissioner (Central-II), Madras enclosing the list of days of the 13 casuals, worked under the Management (Xerox copy).

W-8|2-9-88 : Letter from the Management to the Asst. Labour Commissioner (Central-II), Madras with enclosures (Xerox copy).

W-9|28/29-10-88 : Letter from Petitioner-Union to the Asst. Labour Commissioner (Central-II), Madras regarding regularisation of casual workmen (Xerox copy).

W-10|2-11-88 : Letter from the Management to the Assistant Labour Commissioner (Central-II), Madras regarding regularisation of 13 prospecting casual workmen (Xerox copy).

W-11|26-4-88 : Letter from the Management to the Assistant Labour Commissioner (Central-II), Madras regarding the number of Working days in respect of 13 casual employees (Xerox copy).

W-12|5-4-89 : Conciliation Failure Report (Xerox copy).

W-13 : Standing Orders for the Limestone Quarries of the Management (Xerox copy).

W-14|series 22|14-8-88 : Letters from the Management to Tvt. Palaniappan, V. Chinnan, K. Velleiyan, R. Palani, S. Natrajan, T. Kuppan, K. Perumal, K. Pachiappan, M. Chellamuthu, P. Muthupaiyan and C. Alimuthu.

W-15|series 27-9-88 : Objection of Thiru R. Palaniappan & 10 others Ex. W-14 series (Xerox copy).

W-16| : Minutes of General Body meeting held on 9-10-86 (Pages 74 and 75 of Ex. W-27).

- W-17 : Minutes of General Body Meeting held on 22-8-87 (Page Nos. 58, 59 and 60 of Ex. W-26).
- W-18 : Membership register for 1986.
- W-19 : Membership register for 1987.
- W-20 : Annual assessment for the year in Form 'E'.
- W-21 : Annual assessment for the year 1987 in form 'E'.
- W-22 : Extract of Pages 57, 58 and 80 of the Award of Arbitration Board for Cement Industry, 1978 (Xerox copy).
- W-23|series : Provident Fund receipt of Thiru S. Natarajan for the years 1982-83 to 1986-87. (Xerox copy).
- W-24|series : Provident Fund receipt of Tvl. R. Subramanian, Chinnan, Muthusamy, Chellamuthu, Kuppen and Alimuthu (Xerox copy).
- W-25 : Minutes of General Body Meeting held on 14-10-86 (Page 76 of Ex. W-27).
- W-26 : Minutes Book for the year 1987.
- W-27 : Minutes Book for the year 1986.
- W-28 : Rules of India Cements Employees' Union, Sankari West, Salem Dist., (copy).

For Management :

- Ex. M. 1|4-11-88 : Letter from Cement Manufacturer's Association, New Delhi addressed to Top Executive Cement Companies Members Managing Committee enclosing Gazette copy of interim award of the Arbitration Tvl. G. Ramamujam and M. H. Dalmia dt. 19-2-88 & 7-3-88 respectively (Xerox copy).
- M-2 : Xerox copy of Charter of Demands (Annexure 'B' & 'C' to Ex. M. 1).
- M-3 : Xerox copy of Strike Notice dt. 7-9-87 (Annexure 'D' to Ex. M. 1).
- M-4 : Xerox copy of Strike notice dt. 21-12-87 (Annexure 'F' to Ex. M. 1).
- M-5|20-4-89 : Strike Notice issued by Indian National Cement Workers' Federation (Xerox copy).
- M-6|10-5-89 : Memorandum of Settlement U/s. 12(3) & 18(1) of I.D. Act, 1947 between the Cement Manufacturers' Association and India National Cement Workers' Federation regarding revision of Wages & other benefits (Xerox copy).
- M-7|30-5-87 : Xerox copy of Voluntary Retirement Scheme.
- M-8 : Statement showing analysis of labour strength in Mines from 1-4-78 to 30-6-92 (Xerox copy).

- M-9|2-1-90 : Letter from Registered Officer & Asstt. Labour Commissioner (Central-II), Madras enclosing Amendment Registration Certificate in respect of India Cements Ltd., dt. 30-6-83 (Xerox copy).
- M-10|21-8-87 : Letter from Petitioner-Union to the Asstt. Labour Commissioner (C), Madras.
- M-11|8-6-78 : Memorandum of Settlement u/s 18(1) of the I. D. Act, 1947 entered into between parties (Xerox copy).
- M-12|20-4-81 : Minutes of General Body Meeting held on 15-4-81 & 16-4-81.
- M-13|8-5-81 : Award of Presiding Officer, Labour Court, Coimbatore in I.D. No. 4 of 1980. (Xerox copy).

नई दिल्ली, 28 अप्रैल 1995

का.आ. 1380.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार में. बी.सी.सी.एल. की कुरीडिह कोलियरी के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण (सं. 2) धनबाद के पंचपट को प्रकाशित करती जो केन्द्रीय सरकार को 26-4-95 को प्राप्त हुआ था।

[संख्या: एल-20012/282/90-आई.आर. (कोल-I)]

ब्रज मोहन, डेस्क अधिकारी

New Delhi, the 28th April, 1995

S.O. 1380.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, (No. 2) Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Kooridih Colliery of M/s. BCCL and their workmen, which was received by the Central Government on 26-4-95.

[No. L-20012/282 92-IR(COAL-I)]

BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL (NO. 2) AT
DHANBAD

PRESENT

Shri D. K. Nayak.—Presiding Officer.

In the matter of an Industrial Dispute under Section
10(1)(d) of the I. D. Act, 1947

REFERENCE NO. 7 OF 1991

PARTIES :

Employers in relation to the management of
Kooridih Colliery of M/s. BCCL and their
workmen.

APPEARANCES :

On behalf of the workmen.—Shri B. K. Ghose, Member Executive Committee, Janta Mazdoor Sangh.

On behalf of the employers.—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 19th April, 1995.

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/282/90-I.R.(Coal-I), dated, the 18th December, 1990.

SCHEDULE

“Whether the action of the management of Kooridih Colliery in Govindpur Area No. III of M/s. BCCL in dismissing the workman Shri Kashi Paradhan No. I w.e.f. 26-10-1-11-89 is justified? If not, to what relief the said workman is entitled?”

2. To adjudicate the aforesaid reference both the parties were served with notices for filing W.S. rejoinder if any. Accordingly the W.S. was filed by the workmen being represented by Janta Mazdoor Sangh stating inter alia that the concerned workman Kashi Paradhan No. I was appointed in the post of Badli Miner/Loader in pursuance to the terms of Tripartite settlement before the ALC(C) Dhanbad as per letter No. GM/Ar.III/PD/86/1207 dt. 2-9-86 and thereafter his posting was in Kooridih Colliery and the appointment letter was issued subject to verification of his genuineness. This verification roll was sent to the Supdt. of Police, Ganjam to verify the columns mentioned therein by Official letter No. Ar. III/KOOR/BALDI/2390/86 dt. 16/2-3-88 and reply was received from the Supdt. of Police, Ganjam by letter No. mentioned in the W.S. dt. 30-5-88 where it was stated categorically that no adverse report was found against the 18 individual names including the name of this concerned workman.

3. Pursuant to the said report of the Supdt. of Police the management thought it just to issue chargesheet against this concerned workman under clause 17(i)(a) and 17(i)(o) of the Model Standing Orders for giving false address as regards village and post office on the ground that the name of his village was given as Ereindra, P.O. Ereindra, P.S. Pattapur district Ganjam though in fact he is a man of village Kaudia, P.O. Konkorada and thereby he was charged for fraud, dishonesty according to the Model Standing Orders mentioned above. On the basis of the said chargesheet explanation was given by the concerned workman which was not accepted and thereafter a domestic enquiry took place where after taking evidence the Enquiry Officer found that the person concerned may be genuine person or may not be relying upon the report of Supdt. of Police and concluded the

charge to be proved resulting dismissal of the concerned workman which is stated to be baseless and without foundations. So ultimately a prayer has been made for his reinstatement with full back wages and to pass an Award to that effect.

4. The management filed W.S. with rejoinder stating that it is a fact that this concerned workman was appointed as Badli worker subject to Police verification on the date as stated. But on Police verification the information regarding his village and Post Office was found to be incorrect and for the same a chargesheet was issued and reply was received. But being not satisfied with such reply a domestic enquiry was held by one Shri R. K. P. Srivastava who submitted a report.

5. In the rejoinder it is stated that the facts stated in the W.S. are not true but the declaration made by the concerned workman as regards his village was false as no material evidence was produced by him to establish that his earlier village was Ereindra, P.O. Ereindra, P.S. Pattapur, District Ganjam and his subsequent village is Koudia, P.O. Konkarada and thereby the report of the Enquiry Officer is based on material and the order of dismissal found to be justified.

6. By Order No. 23 dt. 19-4-94 it was held on consent that the domestic enquiry was fair, proper and the argument was heard on merit of the case thereafter.

7. So this Tribunal has to decide whether the concerned workman gave a false description of his village and Police Station violating the Model Standing Orders applicable to the establishment at the relevant time.

8. I have perused the file of the Enquiry Proceeding and it is admitted that both the parties adduce some oral evidence besides documentary evidence in support of their respective cases.

9. Firstly I will refer to the report of the Supdt. of Police, Ganjam which is the seed bed of this dispute where Kashi Paradhan No. 1 (the concerned workman) appears with a remark that there is nothing adverse against Kashi Paradhan No. 1 locally and from P.S. records and thereby no objection was raised for his service who mentioned as suggestion for changing the name of Kaudia in place of village Ereindra and the P. S. concerned in his address. In this enquiry proceeding file I find several documents of the BCCL management such as P.F. records and other materials where from I find that the photograph of Kashi Paradhan No. 1 was attested by the Gazetted Officer and in the said proceeding no material came forward that actually any person named Kashi Paradhan I of Ereindra claim to be the actual person not it is in the Police Verification roll that in Ganjam district in village Ereindra there is any other Kashi Paradhan I son of Srika Paradhan. In the B Form register also the photograph of the same person and village Ereindra appear though Supdt. of Police, Ganjam found this man to be resident of Kaudia giving suggestion to correct the address.

10. In the Enquiry report I find a very peculiar finding where the Enquiry Officer had opined that Kashi Paradhan may be a genuine person or may not be and if that be so there is no definite finding of the Enquiry Officer that there was any false statement as regards address of the person concerned. On the other hand it transpired in course of enquiry that before hand he was a man of Erendra where his house was washed out in the flood and thereafter he started living at Kaudia. Therefore keeping in mind the statement as stated above it remains unchallenged and it was not verified by the management in any manner. I do not find any person to disbelieve the same and in that case if he changes his address living at Kaudia under the same P.S. Kaudia leaving the village Erendra, P.S. Erendra some discrepancies appear in the Police Verification report and the documents of the colliery at the time of verification without touching or varying any other material available in support of the concerned workman I find no justification to hold that he gave any false statement as regards his address rather when there is doubt as observed by the Enquiry Officer that will go in favour of the concerned workman when probability of changing the address subsequently does not appear to be impossible.

11. Lastly I cannot but say that no other claimant came forward nor it is the case of the management that after verification any person of village Erendra of the same name was found to be worked at any point of time before nationalisation of the colliery or subsequent to that. Therefore, I have no hesitation to hold that it will be unjustified to accept such vacillating report of the enquiry officer leading to the finding of acceptance of the charge of misconduct levelled against the concerned workman following his dismissal from the service.

12. To make it more clear it is held that this Tribunal holds that the materials on record are supporting probability of changing the address of the concerned workman from Erendra to Kaudia within the same district for the reasons as stated by him and as mentioned in the enquiry report and thereby it is held that the finding of the Enquiry Officer cannot be accepted nor it can be held that he gave a false particulars of his village and P.S. leading to the infringement of the Model Standing Orders applicable to the establishment at the relevant time. Thereby the order of dismissal does not appear to be justified or based on cogent material. Thus it is held that the action of the management of Kooridih Colliery in Govindpur Area No. III of M's. BCCL in dismissing the concerned workman Shri Kashi Paradhan No. I with effect from 26-10-11-89 is not justified and thus it is ordered that he should be reinstated in the post as he was following the terms and conditions befitting to his job as per rules applicable herein without prejudice to his right as well as the right of the management which are available to him as Badli worker but no back wages is given to him as he was not a permanent employee but he will be given job as Badli workers are entitled if he was not dismissed by the management on payment of usual rates prevalent at the present moment.

This is my Award which will take effect within one month from the date of publication.

D. K. NAYAK, Presiding Officer.

नई दिल्ली, 2 मई, 1995

का.आ. 1381.—केन्द्रीय सरकार में यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (VI) के उपबंधों के अनुसरण में भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या का.आ. 3355 तारीख 10 नवम्बर, 1994 के तहत सिविलियरी पेपर मिल, होशंगाबाद को उक्त अधिनियम के अन्तर्गत उल्लिखित प्रयोजनों के लिए 30 नवम्बर, 1994 से छह माह की कालावधि के लिए लोक उपयोगी सेवा घोषित किया था;

और केन्द्रीय सरकार की राय है कि लोकहित में उक्त कालावधि को छह माह की और कालावधि को बढ़ाया जाना अपेक्षित है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खंड (क) के उपखंड (VI) के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 31 मई, 1995 से छह माह की और कालावधि के लिए लोक उपयोगी सेवा घोषित करती है।

[सं. एम-11017/10/81-डी-1(ए)]

एम. एस. पराशर, अवर सचिव

New Delhi, the 2nd May, 1995

S.O. 1381.—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provision of sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S.O. 3355 dated the 10th November, 1994 the Security Paper Mill, Hoshangabad, to be a public utility service for the purposes of the said Act, for a period of six months from the 30th November, 1994;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of Section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the Act for a further period of six months from 31st May, 1995.

[No. S-11017/10/81-D.1(A)]

S. S. PRASHER, Under Secy.

